

**FIXING THE NATIONAL SECURITY STATE:
COMMISSIONS AND THE POLITICS OF DISASTER AND REFORM**

October, 2009

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Dissertation submitted for the degree of Doctor of Philosophy

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In the U.S. federal system, “crisis commissions” are powerful instruments of social learning that actively mediate the politics of disaster and reform. Typically endowed with the legal authority to establish causes of dramatic policy failures and make recommendations to prevent their recurrence, commissions can prompt major governmental reorganizations. Yet commissions are also frequently accused of being influenced by dominant interests and faulted for articulating incomplete or politically expedient narratives of failure. Even when commission conclusions are accepted, the reforms they propose are not always adopted.

Using the 9/11 Commission as a conceptual backdrop, this dissertation explores the relationship between disaster, public investigation, and reform by undertaking a detailed study of the Space Shuttle Columbia Accident Investigation Board and Iraq Study Group. Together, the cases constitute a study of the national security state seeking to correct failures across different domains of state power: border security, war-making capability, and dominance in space.

I argue that commissions, as one-shot diagnostic and therapeutic instruments, are more effective than standing political institutions at confronting entrenched ways of seeing and knowing in complex systems of the national security state, which are defined by the interaction of ideology, large bureaucracies, and advanced technologies. The ability of commissions to see critically for society itself is not given but rather constructed through investigative and deliberative processes that must overcome the action of political interests. Commission credibility is therefore not an essential trait that derives *a priori* from the inherent stature of its members, but is rather the output of the investigative phase as commissions identify, compile, and publicize errors made by the state.

In this adversarial process, an aggressive professional staff emerges as a determinant of commission success, leading to an important distinction between investigative commissions with “super staffs” and advisory commissions that lack them. Process tracing recommendations over a multi-year period nevertheless reveals dynamics of agency and resistance at play between commissions and the institutions they attempt to reform, highlighting the partial success commissions are likely to achieve at coercing entrenched institutions to implement their recommendations.

Key Words: commissions, disaster, reform, organizational learning, bureaucratic failure, 9/11 Commission, *Columbia* accident, Iraq Study Group.

This dissertation is 79, 121 words long, inclusive of footnotes, charts, and graphics.

This dissertation is the result of my own work and includes nothing which is the outcome of work done in collaboration except where specifically indicated in the text

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“But what is government itself, but the greatest of all reflections on human nature? If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary. In framing a government which is to be administered by men over men, the great difficulty lies in this: you must first enable the government to control the governed; and in the next place oblige it to control itself.”

James Madison

Federalist Paper No. 51, January 6, 1788

Introduction

Crisis Commissions and the National Security State

September 11, 2001 was a singular shot across the bow of an American nation that until one clear autumn morning had sailed confidently as the world hegemon into a new century, even perhaps the end of history.¹ Whatever Americans thought before September 11th, the events of that day ushered in a profound sense that everything thereafter would be different, that as at Pearl Harbor the nation's territorial integrity had been shockingly breached.² While the remains of the World Trade Center smoldered, the American people and their elected representatives began to ask how such a calamity occurred, seemingly without warning, on American soil. Drawing on a tradition of independent inquiry begun in 15th century Britain, and carried over to America with George Washington's appointment of a commission to defuse the Pennsylvania Whisky Rebellion, members of both parties called for an outside investigation of the attacks as early as September 12th.³

After more than a year of resistance, the White House acceded to the demands of survivor families and in late 2002 created a bi-partisan commission with an independent budget, formidable staff, and subpoena powers.⁴ The National Commission on the Terrorist Attacks Upon the United States, popularly known as the 9/11 Commission, launched an intrusive investigation into how the government, and the American people, had been caught off guard. Dozens of investigators descended

¹ Francis Fukuyama, *The End of History and the Last Man* (New York: Harper Collins, 1993).

² John Dower argues powerfully about the connections between Pearl Harbor and 9/11 in "Cultures of War: Pearl Harbor, Hiroshima, 9/11," lecture, Harvard University, September 23, 2005.

³ Senator Robert Torricelli called for a Presidential inquiry on the Senate floor on September 12, 2001. See Kenneth Kitts, *Presidential Commissions & National Security: The Politics of Damage Control*, Boulder: Lynn Publishers, 2006), 132.

⁴ See Public Law 107-306, 107th Congress, and "Statement by the President," The White House, November 27, 2002.

upon government agencies, interviewed witnesses, collected documents, and seized computer records. Even the President and Vice-President were questioned.⁵

As the investigation proceeded, its examination of circumstances surrounding the hijackings, thought initially to have been unforeseeable, soon painted a more complex picture of blame and responsibility. Commission hearings brought into public view facts that contradicted earlier official accounts. As more information about overlooked warning signs emerged, sharp questions arose as to what could reasonably have been done to prevent the attacks.

The 9/11 Commission report, issued in the middle of the 2004 Presidential campaign, provided a stunningly detailed chronology of the attacks. It found that the national security system failed at multiple levels. Border security did not stop the attackers from entering the country. Aviation security did not prevent them from gaining control of wide-body jets. Bureaucratic competition between rival intelligence and law enforcement organizations stifled the flow of information and kept critical data about the attackers from the hands of decision-makers. Ways of seeing the world also mattered. Deep-seated political frames, such as viewing terrorism as a state-sponsored activity, prevented an earlier recognition by the government of the threat posed by loose networks of Islamic extremists.⁶

The report ultimately cited intelligence failures as the primary reason why the attacks succeeded. To correct bureaucratic deficits in information sharing and to enable a coherent response to emerging threats, the Commission recommended the appointment of a Director of National Intelligence.⁷

⁵ Two book length studies of the commission have been published, the first written by its co-chairs, the second by the New York Times journalist who covered its proceedings. See Thomas H. Kean, Lee H. Hamilton and Benjamin Rhodes, *Without Precedent: The Inside Story of the 9/11 Commission* (New York: Knopf, 2006), and Philip Shenon, *The Commission: The Uncensored History of the 9/11 Investigation* (New York: Twelve, 2008).

⁶ *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks Upon the United States*, Government Printing Office, July 22, 2004. W.W. Norton simultaneously published an authorized version.

⁷ For scholarly commentary on the commission's rationale for this framing, see Amy B. Zegart, "Through the Looking Glass: September 11th and the Adaption Failure of American Intelligence Agencies," paper delivered at the Miller Center for Public Affairs, April 2, 2004. www.americanpoliticaldevelopment.org/townsquare/print_res/in_progress/zegart.pdf; See also Amy B. Zegart, *Flawed By Design: The Evolution of the CIA, JCS, and NSC* (Palo Alto: Stanford University Press, 2000), William W. Newmann "Reorganizing for National Security and Homeland Security" *Public Administration Review* Vol. 62 (Sept 2002), 126-137, Anthony H. Cordesman, "Intelligence Reform as a Self-Inflicted Wound: Asking the Right Questions [working draft] September 16, 2004, Center for Strategic and International Studies Working Paper, and Charles Perrow, "Organizational or Executive Failures," A Symposium on the 9/11 Commission Report, *Contemporary Sociology* Vol. 34, No 2. p 99-107.

The administration's response to the 9/11 Commission report became a leading issue in the unfolding presidential campaign. Both incumbent President George W. Bush and Democratic nominee John Kerry (D.-Mass.) embraced its findings and vowed to implement its recommendations. After a contested beginning, the 9/11 Commission emerged as a potent political actor, achieving a stature that temporarily rivaled the President's own. In the assessment of one scholar, the Commission "broke President Bush's monopoly on the political windfall generated by the September 11 attacks" at a time when "no other entity of post-9/11 American life was capable of mounting a credible challenge to the President's leadership in the war on terror, including the U.S. Congress."⁸ Legal commentators similarly hailed the commission as a powerful instrument for unearthing information from the executive branch and suggested that in times of crisis commissions can better hold the state accountable for past actions than common law or statute.⁹ Not in recent memory had a commission so forcefully transformed a tragic disaster into a roster of potent reforms whose enactment seemed inevitable.

The 9/11 Commission's Rise and Fall

In the aftermath of disaster or dramatic policy failure, crisis commissions have become a standard remedy in the U.S. federal system for establishing what went wrong and for restoring the integrity of government. Commissions are typically equipped with the legal authority to build a record of evidence, establish definitive causes, and propose reforms designed to avoid a recurrence. Through holding public hearings and issuing investigative reports that contradict possibly self-serving accounts, commissions have tremendous power to refocus the public's attention. The revisionist histories they build can lead to new public understandings of blame and culpability. In this way, commissions help build shared experiences of events and their causes that fuel political action.¹⁰ Visibly holding public institutions accountable enables commissions to cultivate a legitimacy of their own, untarnished by mistrust of government.

⁸ Richard A. Falkenrath "The 9/11 Commission Report: A Review Essay" *International Security* Vol 29, No. 3 (Winter 2004/05), 190.

⁹ Mark Fenster, "Designing Transparency: The 9/11 Commission and Institutional Form," Whitepaper, 12-15. Available online at: http://works.bepress.com/mark_fenster/6/, accessed November 23, 2008.

¹⁰ Molly Patterson and Kristen Renwick Monrow "Narrative in Political Science," *Annual Review of Political Science*, 1998 1:315-31.

As motors of reform, commissions wield singular power. Commissions frequently drive changes in official policy and issue recommendations that become benchmarks for the reorganization of government agencies. They operate in, and help define, what scholars term the “policy window” that opens when crisis has reordered political priorities in ways that make possible dramatic realignments.¹¹ With public attention focused, commissions are able—at least for a time—to move Congress, the White House, and federal agencies in significant ways, unilaterally altering the culture in which policies are devised and executed.¹² Commissions can become crucial instruments in policy shifts.

Commissions, however, are not without limitations. Far from serving as a policy panacea whose erudite reports cure government of all that ails it, crisis commissions have increasingly become embroiled in the failures of reform as much as its successes. The experience of the 9/11 Commission in this regard is typical of other high-profile inquiries whose recommendations did not achieve all of the lasting impact their supporters had hoped.

After its report was published, critics contested the 9/11 Commission’s position as the dominant authority for interpreting the cause of the attacks and as the arbiter of how the government should organize itself to prevent them in the future. The most provocative criticism concerned what the report identified as the “failure” that caused the attacks. Framing an attack by salafist Islamic terrorists as the result of an inability of intelligence agencies to “connect the dots” left the Commission open to criticism that it had insufficiently explored the root causes of the terrorist threat it was tasked to investigate.¹³ In the view of critics, the report minimizes U.S. policy choices in the Middle East and South Asia as relevant factors in the attacks.¹⁴ To some, this omission constitutes an insufficient explanation of the “why do they hate us” question, reducing the response to 9/11 to a “fix the bureaucracy” problem rather than a deeper reckoning with U.S. entanglement with the Muslim world. Others wondered whether the Commissioners’ reticence to “state the obvious” connection

¹¹ John T. S. Keeler, “Opening the Window for Reform: Mandates, Crises, and Extraordinary Policy-Making” *Comparative Political Studies*, Vol. 25, No. 4 (1993), 433-486.

¹² Eric Stern, “Crisis and Learning: A Conceptual Balance Sheet,” *Journal of Contingencies and Crisis management*, Vol. 5, No. 2 (1997), 69-86.

¹³ David Mednicoff, “Compromising Toward Confusion: The 9/11 Commission Report and American Policy in the Middle East,” *Contemporary Sociology*, 34(2): 107-15.

¹⁴ See 9/11 Commission Report, 375-77.

between terrorism and U.S. interests in Middle Eastern oil was the product of political and corporate ties.¹⁵

Terrorism analysts, furthermore, disagreed with the Commission's implicit assumption that it is possible to deter a determined group of attackers. In their reading, the Commission's post-hoc determination of the attack's preventability was the product of ingrained American optimism in the ability of government to secure the homeland. "Too often," one expert wrote, "assessments of failure focus on the mistakes of the victim rather than on the skill of the adversary."¹⁶ Libertarian and conservative commentators objected to commission recommendations on ideological grounds. In their view, centralizing power in a new synthesizing institution atop the intelligence bureaucracy, rather than pursuing more local measures such as strengthening border controls and airport security, would lead to the aggrandizement of the state without real security gains.¹⁷

Still others found fault with the report's reluctance to blame specific officials, attributing this "no fault" theory of government to the Commission's bipartisan composition and structure. The consequence of working in a context that prioritized consensus above all else appeared to be a refusal to affix blame to high-ranking figures in either party. The Commission's senior advisor, writing in *The New Republic*, noted that "the report is probably too balanced... Individuals, especially the two presidents and their intimate advisers, received...indulgent treatment."¹⁸ In response, the Commission's executive director acknowledged that "avoiding the appearance of partisan tilt sometimes required muting interpretation."¹⁹ The political function of a commission to "bind up the nation's wounds," and bring closure to a traumatic event through bipartisan consensus, may have constrained the investigation's rigor and accountability.

¹⁵ Diane Vaughan, "The Social Shaping of Commission Reports," *Sociological Forum*, Volume 21, Number 2, June 2006, pp. 291-306.

¹⁶ Daniel Byman, "Strategic Surprise and the September 11 Attacks," *Annual Review of Political Science* 2005 8:145-70

¹⁷ Sheila Jasanoff, "Restoring Reason: Causal Narratives and Political Culture," in Bridget Hutter and Michael Power, eds. *Organizational Encounters with Risk* (Cambridge, UK: Cambridge University Press, 2005); Richard Posner, *Preventing Surprise Attacks: Intelligence Reform in the Wake of 9/11* (New York: Roman and Littlefield, 2005).

¹⁸ Ernest May, "When Government Writes History: The 9/11 Commission Report," *The New Republic*, June 27, 2005.

¹⁹ Ernest May and Philip Zelikow reply "Sins of Commissions? Falkenrath and his critics" *International Security* Vol 39, No. 4 (Spring 2005), 208-211.

Whatever the merit of these critiques, challenges to the 9/11 Commission's diagnosis of what caused the attacks, and what corrective measures were necessary to ensure they would not be repeated, lessened the momentum behind implementing its recommendations. As reform bills ground through the notoriously inelegant U.S. legislative process, the Commission's vision of a unified intelligence command fell prey to entrenched agency interests and their congressional patrons. The House Armed Services Committee in particular remained un-swayed by the Commission's arguments that anyone other than the Secretary of Defense should wield statutory authority over intelligence community functions that provide line of battle intelligence. The final measure, signed into law on December 17, 2004, largely withheld from the newly established Director of National Intelligence means of control of more than 80 percent of the intelligence budget allocated to the Department of Defense.²⁰

Though commentators have noted gains under the legislation, Commission members and the activist survivor families remained critical of the reforms. A series of reports issued under the aegis of a non-profit group the Commissioners established to lobby Congress after the investigation's official disbandment call attention to inadequacies in the new intelligence framework. Despite the novel attempt at extending their influence through a private body, the 9/11 Public Discourse Project's final "report card" found flaws in the existing system and noted that a number of the Commission's other recommendations had not been implemented. A year and a half after issuing its 567-page report, the Commission's impact was decidedly mixed.²¹ Its ability to frame what caused 9/11, and to install its own vision of reform in the national security system, remained partial.

Commissions and the National Security State

The National Commission on the Terrorist Attacks Upon the United States embodies the very model of a crisis commission. It was empanelled with senior members of both parties to examine the largest breakdown of the national security state in more than a generation. For nearly two years, it investigated the diverse

²⁰ Instead, the Director was granted limited personnel powers and the ability to unilaterally re-program 5 percent of agency budgets.

²¹ 9/11 Public Discourse Project, "Final Report on 9/11 Commission Recommendations," December 5, 2005.

failures that occurred inside the government and imagined how to remake national security institutions to prevent future attacks. Yet its findings and recommendations—including its framing of why 9/11 happened—were contested on multiple levels. The commission’s influence was ultimately diluted, and Congress failed to enact many of the reforms it recommended. Five years after its final report was issued, what can be said about the 9/11 Commission attempt to fix the national security state? What, more generally, does its experience reveal about the ability of crisis commissions to diagnose, and remedy, the causes of catastrophic national security breakdowns?

Commissions are presumed to be ideal vehicles to investigate disaster and promulgate reform precisely because of their independence from vested interests. Conceived as truth machines that stand above politics, their use implies a linear model in which disaster is investigated, understood, and reforms to prevent a recurrence are issued and adopted. By overcoming the ability of government officials to stonewall or deflect blame, commissions speak “truth to power” in a way that can create moments of honest democratic reckoning. Their dispassionate rationality and political independence allow them to see the world more clearly than the actors they investigate, and thereby to devise fair and prudent correctives that rebalance the functioning of government in the public interest.

The 9/11 Commission illustrates many of these attributes of commissions even as it highlights vulnerabilities of the commission process and the linear model of investigation and reform it is predicated upon. Commissions are undeniably powerful diagnostic instruments, but they are also instruments whose vision, agency, and understanding are rooted, to varying degrees, in the political culture that creates them. This rootedness leaves commissions susceptible to certain imperfections. They can become captive to culturally dominant ways of seeing the world. Their investigations can be restricted by political concerns. At worst, powerful interests can employ commissions as instruments of damage control to avoid the very public accounting they are chartered to bring.

Lurking behind the image of the “crisis commission,” and commissions more generally, are thus two possible incarnations: the “ideal” commission and the “co-opted” commission. Commissions are of course rarely one or the other, but rather display a mix of attributes. Understanding how commissions are susceptible to

political interests, and the ways in which they can resist co-option, is of analytic interest.

In addition to being subject to political influence, a second paradox lurks. Commissions are by definition temporary entities that operate with a minimum of structure and procedure. At the same time, they are entrusted in times of crisis with effecting far-reaching changes among entrenched interests that remain in place long after commissions themselves disband. Except in rare cases, commissions have no formal authority to see through their own recommendations or to evaluate, at a later date, whether the failures they pinpointed have been corrected. As one-shot diagnostic and therapeutic instruments, there is a mismatch between commissions and the institutions of government they seek to influence, raising the question of how something so evanescent can catalyze enduring change.

Commissions, then, face structural obstacles in both their diagnostic and therapeutic functions. More than of passing interest, these obstacles constrain their use as democratic mechanisms to understand, and learn from, disaster. Studying the nature of post-disaster inquiry is thus an important step in mapping how organizational and social learning occurs in advanced technological democracies, whose complex systems are inherently disposed to breakdown.

In order to study the politics of disaster and reform as they exist in the first decade of the 21st century, this dissertation examines the attempts of two crisis commissions—the Space Shuttle Columbia Accident Investigation Board and Iraq Study Group—to fix breakdowns in the national security state. The 9/11 Commission, which is not studied in-depth, is used as conceptual backdrop to these two cases.

Despite the seminal role that crisis commissions play in addressing failures of state institutions, comparatively little work has been done to probe their inner workings, or understand how the conduct of their investigation relates to the long-term impact of their recommendations. In order to trace the “democratic re-engineering” that commissions underwrite, this dissertation will examine the sources of agency and constraint in the diagnostic and therapeutic phases of a commission’s life. Questions driving the inquiry include:

- What is required for a commission to produce a framing that is accurate and powerful?

- Are crisis commissions able to translate the moment of democratic reckoning they stand for into long-lasting reform?
- What are the dynamics of investigation and reform, and what are the limitations to structural change, in the complex socio-technical systems of the national security state?

By using commissions as a vehicle to explore larger processes of social learning, the dissertation will reach conclusions about the governing of advanced technological democracies as well as the prospects for achieving higher levels of reliability in state institutions that maintain our security. Through studying the nature of modern politics and the complex systems of modern statecraft, the dissertation aims to contribute to democratic theory and to our understanding of modernity.

Case Selection: Three Disasters, Three Commissions

The 9/11 Commission is without question the most prominent crisis commission in over a generation. In the first decade of the 21st century, two other events also prompted the establishment of nationally visible crisis commissions. The trajectories of all three commissions exhibit striking parallels.

Sixteen months after 9/11 a less cataclysmic though still shocking jolt to the national consciousness occurred when the nation awoke to the loss of its second space shuttle. The unmistakable signature of the orbiter *Columbia* disintegrating high in the east Texas sky on February 1, 2003 shattered the confident assurances given in the aftermath of the shuttle *Challenger* accident in 1986 that new safety practices meant American astronauts would never again come to grief.²²

The National Aeronautics and Space Administration (NASA) had already laid provisions for an outside investigation to account for the loss of a shuttle, and a standing board of nonpartisan government officials arrived on scene the following day. The accident board hired an immediate staff of 140 and launched what became the largest accident investigation in history. News of the investigation's undertakings often joined coverage of the 9/11 Commission on the front page of newspapers

²²NASA headquarters officials trumpeted a five-fold improvement in safety due to post-Challenger reforms. *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), 101.

nationwide, turning 2003 into a signal year for inspecting the mechanics of governmental institutions that so often remain unseen.

Like the 9/11 Commission, the Columbia investigation reached conclusions about what caused the accident at several causal levels. The investigation cited a chunk of falling foam that struck a hole in *Columbia*'s left wing as the physical cause, but saw this technical breakdown as the last link in a chain of causes that included Richard Nixon's 1972 electoral calculus of backing funding for spaceflight and the legacy of Apollo in NASA's organizational culture. Also like the 9/11 Commission, the Columbia investigation's impact was mixed. The space shuttle returned to flight twenty-three months later, but shortly after blasting off from Cape Canaveral a chunk of insulating foam tore loose from the external tank and cart-wheeled within inches of the orbiter *Discovery*'s right wing. The foam debris was strikingly similar to the piece that caused the loss of *Columbia* two years before. Later analysis showed that NASA's first post-accident launch escaped catastrophe by only seconds.²³ The exact accident NASA and the Columbia Board labored to prevent nearly reoccurred, and for the second time in three years NASA indefinitely grounded its shuttle fleet.²⁴

A third high profile inquiry arose in 2006, and it too promulgated its recommendations with limited success. The Iraq Study Group, appointed by Congress to review the Bush administration's war policy and to chart a new strategy, became the first commission to contemporaneously access the intelligence assessments of a sitting President.²⁵ The study group effectively constituted a parallel foreign policy apparatus whose staff and volunteer advisory teams were equivalent in size to the National Security Council's own Iraq team. When its report was released, more Americans approved of the Iraq Study Group's prescriptions than the President's policies, with an astonishing seventy-nine percent of the public supporting its key recommendation to gradually withdraw troops and reorient the U.S. mission to train Iraq's security services.²⁶

²³ Had the foam debris flaked off earlier in the ascent, higher atmospheric pressure would have transported it directly into the fragile carbon panels that compose the wing's leading edge. For a technical discussion of the debris incidents on the ascent of STS-114, see NASA, "External Tank Tiger Team Report—Part I: Preliminary Status and Data Package," October 7, 2005.

²⁴ "NASA Grounds Shuttle Fleet," *CNN*, July 28, 2005.

²⁵ Although formed in response to a policy failure that amounted to a disaster rather than a disaster per se, the study group is nevertheless an exercise in investigating a breakdown in the national security state and for that reason can be treated as a post-disaster inquiry.

²⁶ Peter Baker and Jon Cohen, "Americans Say U.S. is Losing War," *The Washington Post*, December 13, 2006.

Despite its power to capture the public attention, the study group's most important recommendations—much like the 9/11 Commission—were soon superseded by the President's own plan, an escalation of force known as the “surge.”²⁷ Congress, however, wrote into law some of the study group's other 70-plus recommendations, while the administration adopted still more—yielding a complex verdict on the commission's ultimate influence on U.S. policy.

In order to deepen our understanding of the politics of disaster and reform, this dissertation embarks on an empirical study of the Columbia investigation and Iraq Study Group, neither of which has yet been subject to extensive academic analysis.²⁸ Once developed, these cases are then put into conversation with the already substantial literature on the 9/11 Commission in order to yield, in the dissertation's conclusion, a broader comparative analysis of the role of crisis commissions in reforming the entrenched structures of the national security state.

The selection of the Columbia investigation and Iraq Study Group as objects of comparative study is driven by several considerations. First, each meets the definition in the literature for a crisis commission, which is defined as an ad hoc panel constituted to study and report upon extraordinary policy failures, scandals, or disasters of national significance.²⁹ Each carried out investigations at the highest levels of government, as well as programs of reform that subsequently dominated Congress and the Executive branch. In this way each constitutes what historians call a site of memory, or contested space in the social consciousness where collective learning and public policy making occur.³⁰

²⁷ White House Press Release, “Fact Sheet: New Way Forward in Iraq,” January 10, 2007; and National Security Council, “Highlights of the Iraq Strategy Review,” January 2007, 11.

²⁸ One popular book has a partial account of the investigation, Michael Cabbage and William Harwood, *Comm Check: The final Flight of the Shuttle Columbia*, (New York: Free Press, 2004).

²⁹ Here, I follow Amy Zegart and Jordan Tama's definitional work. Tama defines a commission as “an ad hoc advisory panel with two more people—including at least one private citizen—mandated by an official act of the federal government to produce a report within four years. The commission must be a corporate body with a public identity, but must not be a standing or continuing panel, and must not have formal or proposal or policymaking power.” Tama further defines crisis commissions as those that arise in response to prominent public controversies or events. Jordan Tama, “The Policy Influence of U.S. National Security Advisory Commissions,” Conference Paper, American Political Science Association Annual Meeting, September 1, 2007, 3. Zegart is careful to differentiate ad hoc investigatory commissions from other policy-making bodies that are also called commissions, such as the Federal Trade Commission. See Amy B. Zegart “Blue Ribbons, Black Boxes: Toward a Better Understanding of Presidential Commissions,” *Presidential Studies Quarterly* 35 No. 2 (June 2004), 368.

³⁰ Historians employ the term “site of memory” to reference places, both real, in discourse, and imagined, such as works of literature or art, where communities repose and reify their memories of significant past events. Sheila Jasanoff notes that “the construction of memory is integral to the

Indeed, by almost every measure, the 9/11 Commission, Columbia investigation, and Iraq Study Group constitute the three largest, most visible, and most consequential inquiries in the first decade of the 21st century. The 9/11 Commission, which received more television news coverage than the Iraq war between July and December 2004, employed a staff of 87 and cost \$15 million.³¹ The Columbia investigation is the single largest accident investigation in history. It employed 140 staff, 400 supporting engineers, and 10,000 debris searchers that together cost half a billion dollars.³² The Iraq Study Group, while numerically smaller in budget and personnel, occupied just as prominent a position in the national consciousness. Its report, which shaped the Iraq debate for more than a year, became a *New York Times* bestseller.³³

Deeper parallels exist among the three commissions that enable broader theorizing about the nature of governance in modern technological states. Border security, war-making capability, and space launch and recovery are fundamental to U.S. national identity and important sources of political power, both domestically and abroad. Breakdowns in each of these areas threatened the American state's standing as a sovereign power capable of wielding sophisticated technology in the national interest. Moreover, investigations these breakdowns set in motion cut to the heart of the organs of executive power that control the institutions of national security.³⁴ In the U.S. federal system, the institutions of the national security state are characterized

process of learning, and that public policy—which is often based on an authoritative analysis of past events—therefore can be seen as an important site of memory in modern societies.” Jasanoff, “Restoring Reason: Causal Narratives and Political Culture,” in Bridget Hutter and Michael Power, eds. *Organizational Encounters with Risk* (Cambridge, UK: Cambridge University Press, 2005).

³¹ Amy Zegart, *Spying Blind: The CIA, the FBI, and the Origins of 9/11* (Princeton: Princeton University Press, 2007), 179.

³² *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Appendix B.

³³ The report was ranked number five for non-fiction paperbacks in January 2007. Dan Ephron, “Iraq Study Group: The Forgotten Men: Bush Ignored Many of the Key Baker-Hamilton Recommendations, But They’re Not Dead Yet,” *Newsweek*, January 29, 2007.

³⁴ Following its use in the historical and political science literatures, I use the term “national security state” to reference the complex of government institutions designed to safeguard the homeland, protect American interests abroad, and project military power. These institutions, originally codified in the National Security Act of 1947, have grown to encompass not only the armed forces and intelligence community, but also law enforcement agencies with an international outlook or mandate, bureaus in the Departments of Justice, Treasury, and Commerce concerned with security related matters, FISA and National Security Courts, and the administrative and legislative organs that oversee them. I also consider NASA as part of the National Security State, given the historic and contemporary ways in which power in space is related to diplomacy and national security. The term “national security state” arose to describe the concentration of security related power and surveillance in the post-World War II American government, and is often used to caution against creating an Orwellian dystopia in the name of protecting freedom.

by a high degree of centralization and political autonomy, organizational features that were accentuated with the arrival of the nuclear age, when command and control systems became more tightly coupled to the executive than ever before.³⁵

Commissions investigating the national security state are thus confronting historically singular centers of executive power whose means of control over both foreign and domestic policy pose new challenges to the governance of advanced democracies.³⁶

Commissions have emerged as one of the few credible counterweights to this concentration of power, heightening the imperative to understand their potential as a democratic tool for investigating the national security state.

The aspects of state power associated with the national security state are furthermore characterized by complex systems in which ideology, large bureaucracies, and advanced technologies interact. As will become clear, the national security state is, at its heart, a technological system, but one in which politics and ideology penetrate deeply. It is this unique combination of political and material technologies, which extend far beyond the typical incorporation of social factors in technological systems, that gives rise to most breakdowns.³⁷

The three crisis commissions discussed in this dissertation are thus directly comparable to each other as democratic mechanisms confronting similar failures, and thus similar questions about the nature and regulation of risk, expertise, and oversight in the national security state. Studying the three together—two in great detail, with conceptual reference to the third—will foster a deeper understanding about how advanced technological democracies govern the complex systems through which state power is increasingly exercised.

Methodology and Research Design

³⁵ For a recent historical analysis of the connection between nuclear command and control and executive power, see Gary Willis, *Bomb Power: The Presidency and the Modern National Security State* (New York: Penguin Press, 2010).

³⁶ For a historical overview, see Michael J. Hogan, *A Cross of Iron: Harry S. Truman and the Origins of the National Security State, 1945-1954* (New York: Cambridge University Press, 1998). For a liberal critique, see Jack Nelson-Pallmeyer, *Brave New World Order: Must We Pledge Allegiance?* (Maryknoll, NY: Orbis Books, 1992) and Daniel Patrick Moynihan, *Secrecy: The American Experience* (New Haven: Yale University Press, 1999).

³⁷ See Sheila Jasanoff, “Restoring Reason: Causal Narratives and Political Culture,” in Bridget Hutter and Michael Power, eds. *Organizational Encounters with Risk* (Cambridge, UK: Cambridge University Press, 2005).

How to study the process of post-disaster inquiry is an area of open debate in the literature. Crisis commissions regularly appear on the American political scene, but variations in their structure, authority, and purpose introduce challenges to comparative analysis. Most scholars studying commissions have therefore relied on case-study methods that emphasize qualitative research approaches.³⁸ However, case-study research, on commissions as elsewhere, is often conducted in so specific a manner as to produce findings that cannot be easily generalized.³⁹ As Charles Ragin and Howard Becker note, methodological clarity can be lacking unless the boundary of the case is well defined and its role in the larger study understood.⁴⁰ As is further discussed in the literature review, few scholars apply the same categories and classifications to differentiate between types of commissions, their subject matter, and their function.⁴¹

In contrast to the purely case-base approach, two scholars, Jordan Tama and Amy Zegart, have augmented qualitative studies of commissions with quantitative analysis of large-sample data sets.⁴² While their results help establish broad empirical regularities between select variables and the policy influence of commissions, the level of generality at which their work is situated is above many of the more subtle causal mechanisms that influence the investigation and reform phases of commission life. Commissions are inherently unstable institutions. Studying how they work, reach conclusions, and advocate for their views is to examine the intricacies of power struggles and the way knowledge fits into them. Broad scale quantitative research is not well suited to capture this level of detail.

Since the object of this dissertation is to examine the highly contextual environment in which crisis commission work and transmit their recommendations, employing a qualitative case study methodology attentive to the micro-politics of power is an appropriate choice.⁴³ As Peter Hedstrom and Richard Swedberg suggest,

³⁸ Grounded theory and comparative analysis are the two most common methodological approaches. See Barney G. Glaser and Anselm L. Strauss, *The Discovery of Grounded Theory: Strategies for Qualitative Research* (London: Weidenfeld and Nicolson, 1967).

³⁹ Darin Weinberg, ed., *Qualitative Research Methods* (London: Blackwell Publishers, 2001).

⁴⁰ Charles Ragin and Howard Becker, *What is a Case: Exploring the Foundations of Social Inquiry* (Cambridge: Cambridge University Press, 1992).

⁴¹ Amy B. Zegart "Blue Ribbons, Black Boxes: Toward a Better Understanding of Presidential Commissions," *Presidential Studies Quarterly* 35 No. 2, (June 2004), 368.

⁴² Tama and Zegart's research are described at length in Chapter 1.

⁴³ The levels of analysis the dissertation seeks to elucidate are very much within Robert Merton's middle range. Robert Merton, "On Sociological Theories of the Middle Range," *Social Theory and Social Structure* (Chicago: University of Chicago Press, 1949, 1996).

social mechanisms are often best studied through small-n comparisons.⁴⁴ This dissertation thus focuses in detail on two cases in order to establish, through thick description, an empirical basis for making larger claims about the dynamics of disaster and reform. In this way the two commission histories are assembled not for their own sake, but in service of sociological and political theorizing.⁴⁵

Emphasis on the identification and tracing of causal mechanisms in small-n case studies places the dissertation firmly within the methodology of process tracing.⁴⁶ Process tracing attempts to link possible causal mechanisms with observed outcomes by traveling back in time to identify key events and dynamics and then to show how these hypothesized causal mechanisms account for a case's particular trajectory.⁴⁷ The method's goal is to validate or discover certain causal mechanisms while ruling out others.⁴⁸ Process tracing is ideal for capturing the unfolding of social action over time, where unobserved contextual variables shape thought and action in significant ways.⁴⁹

Timothy Ruback and others have established criteria for building case studies using the process tracing method.⁵⁰ In an elegant metaphor relating the case narrative

⁴⁴ Peter Hedstrom and Richard Swedberg, eds., *Social Mechanisms: An Analytical Approach to Social Theory* (Cambridge: Cambridge University Press, 1998).

⁴⁵ James Mahoney, Comparative-Historical Methodology, *Annual Review of Sociology* 2004 30:81-101.

⁴⁶ Hillel David Soifer "The Implications of Process-Tracing for Case Selection in Comparative Research Designs," Paper prepared for presentation at the 2006 Meetings of the American Political Science Association, Washington DC, http://www.asu.edu/clas/polisci/cqrm/APSA2006/Soifer_Process_Tracing.pdf.

⁴⁷ See George, Alexander L. and Andrew Bennett, *Case Studies and Theory Development in the Social Sciences*. (Cambridge, MA: MIT Press, 2005) and Alexander L. George and Timothy J. McKeown, "Case Studies and Theories of Organizational Decision Making." *Advances in Information Processing in Organizations* 2: 21-58, 1985.

⁴⁸ Tulia G. Falleti, "Theory-Guided Process-Tracing in Comparative Politics: Something Old, Something New," *American Association of Political Science Newsletter*, Fall 2006, <http://www.polisci.upenn.edu/~falleti/Falleti-CP-APSANewsletter06-TGPT.pdf>, 5.

⁴⁹ The method emerged to study social phenomena in which causality is opaque or characterized by complex interaction effects, and cannot be easily addressed by selecting cases that control for some factors but not others—the classic principle of comparative analysis as laid out by J.S. Mill. In this way process tracing emphasizes the identification of causal mechanisms rather than correlation of causal effects between cases. See James Mahoney, "Path dependence in historical sociology." *Theory and Society* 29 (4) (2000) 507-548 and Tulia G. Falleti, "Theory-Guided Process-Tracing in Comparative Politics: Something Old, Something New," *American Association of Political Science Newsletter*, Fall 2006, <http://www.polisci.upenn.edu/~falleti/Falleti-CP-APSANewsletter06-TGPT.pdf>.

⁵⁰ Ruback's six criteria of process tracing are: 1. Theoretical and methodological choices cannot be hidden in the narrative. Reasons for focusing one's gaze on one actor rather than another, for following one trail of evidence rather than another must be self-conscious and explicit. 2. Narratives should proceed from a clearly bounded, theoretically and practically defensible beginning to a clearly bounded, theoretically and practically defensible end point. 3. Narratives should not allow for disruptions in narrative time, or significantly shift their focus. 4. A good narrative will make clear what sort of supporting evidence it requires. 5. A good narrative should provide enough detailed evidence,

to its theoretical explanation, Ruback states that “process-trace should be to historical narrative what the *Centre Pompidou* is to architecture—a construction in which the inner workings are on the surface, for all to see.”⁵¹ Making theorizing explicit is the method’s key imperative. Doing so enables other researchers to confirm or refute hypothesized causal mechanisms, and thereby to independently replicate the study, a critical methodological goal of social science research.

With process tracing as its dominant methodology, the dissertation confronts the question of how to structure the cases and collect evidence in a way that maximizes within-case theorizing and comparative analysis between the cases. To facilitate both objectives, the empirical review of the Columbia investigation and Iraq Study Group will separately analyze each inquiry’s diagnostic/investigative phase and the therapeutic/recommendation phase that follows.

Each case thus begins with the event that prompted the crisis commission and moves to the formation of the investigation—its staff, leadership, resources, procedures, and outlook. It continues through the duration of the diagnostic phase—how the commission framed what failed, established the failure’s causes, and conceived of remedial actions. Evidence collection in this phase is geared toward illustrating how the political environment from which the commission arose, as well as the expertise it employed, shapes its diagnoses of failure and hence attribution of cause. Attention is also paid to how the commission conceived of its own ability to shape events and how this awareness feeds back into investigative practice and the formulation of recommendations.

The second half of each case traces the commission’s therapeutic phase by following the implementation of its recommendations for 18 to 24 months. The extent to which recommendations are taken up, either by Congress or by the Executive branch, as well as the degree to which they catalyze desired policy ends, constitute crucial tests of the ability of government institutions to implement

with “covering law” connections to its hypothesis, that the reader would not be plagued by nagging doubts about other untold but possibly equally convincing narratives. 6. Consequently, a good explanatory narrative is a *preframed* narrative. The choices made above presume a chooser who determines the limits of the narrative through a logic of conceptualization that is in place prior to and independent of writing. See Timothy Ruback, “Let Me Tell the Story Straight On: *Middlemarch*, Process-Tracing Methods & the Creation of the Political Subject.” presented at the 48th annual meeting of the International Studies Association, Chicago, Illinois, 2007, <http://www.timothyruback.net/middlemarch.pdf>.

⁵¹ Timothy Ruback, “Let Me Tell the Story Straight On: *Middlemarch*, Process-Tracing Methods & the Creation of the Political Subject,” 11.

corrections. The analytic focus in tracing the therapeutic phase is to examine how recommendations feed back into policymaking, and to take measure of the commission's ultimate impact over time. Together, the two-part case studies enable broader theorizing about the social mechanisms that drive disaster investigation and reform.

Data Collection

Data collection included the gathering and analysis of primary and secondary documentary sources, interviews with key participants, and opportunistic collection, including ethnography, conducted during two stints of government service. My data gathering process, as well as the circumstances of the opportunistic collection that forms much of the basis for each case, is further detailed in Appendix A.

The commission reports, which constitute unusually rich primary sources, were consulted first. Scholarly commentary and journalistic coverage of the commissions themselves and the subsequent reform efforts they launched provided important contextual information. Interviews with key participants, including commission members and staff, government officials, reporters, and policy analysts, constitute the third and in many ways most important source of information. To identify interviewees and critical documents, I employed a snowball methodology in which participants referred me to other relevant people and sources of information.

Fieldwork was undertaken in stages. Research for the *Columbia* case, as described in the appendix, is substantially based on an ethnography drawn from my service, from March to October 2003, as editor of the Columbia investigation's official report. I wrote the ethnography and conducting research on the Return to Flight Task Group in 2005 and early 2006. The Iraq Study Group case draws in part on my experience serving on staff of the Special Inspector General for Iraq Reconstruction from April 2006 to February 2009. Research on the Iraq Study Group began informally in 2006 but was largely completed after I left government service in 2009.⁵² For validation purposes, two subject matter experts reviewed the case studies.⁵³

⁵² My early impressions of the Iraq Study Group are no doubt influenced by my contemporaneous service at the Special Inspector General for Iraq Reconstruction, where I was the lead writer of a U.S.

Disasters and dramatic policy failures are an enduring feature of the modern world. This dissertation attempts to chronicle the life and aftermath of two of the commissions that study them, and to relate these case studies to the existing literature on the 9/11 Commission, all with an eye towards building an account amenable to deeper theorizing. Through original empirical research and comparative analysis, the dissertation seeks to extend our understanding of the relationship between disaster, investigation, and the reform of institutionalized power. It affords the opportunity to advance our understanding of how societies collectively learn—and fail to learn—from disaster.

official history entitled *Hard Lessons: The Iraq Reconstruction Experience* (Washington, D.C.: Government Printing Office, 2009).

⁵³ Dr. Dwayne Day, a space historian with the National Academy of Science, reviewed the Columbia case study. Dr. Jordan Tama, a Princeton scholar who studies national security commissions, reviewed the case study on the Iraq Study Group.

Chapter 1

Commissions: History, Theory, Social Learning

Despite the seminal role crisis commissions play in social learning about disaster and policy failure, the literature on their use as instruments of government is notably thin. No consensus exists on whether or how they shape policy. Especially when compared to the well-developed literature on executive and legislative behavior, the body of research on commissions, and the reform process they trigger, is comparatively modest.

1.1 Literature on Commissions

Historians have long recognized the role of commissions in the Anglo-American tradition of government.⁵⁴ Royal commissions given writ by the British crown date to at least 1494, and have proved instrumental in tasks as disparate as developing the civil service system to examining the country's response to mad cow disease.⁵⁵ The use of commissions crossed the Atlantic to the new American republic soon after its founding. Ever since George Washington named a commission to investigate the Whisky Rebellion of 1794, American Presidents and legislatures have empanelled them to address a wide array of thorny political dilemmas, often in the aftermath of a traumatic event. More recently, Congress moved to regularize procedures for certain types of commissions in the Federal Advisory Committee Act, which has been updated several times since its original passage in 1972.⁵⁶

⁵⁴ Two useful reviews of existing literature include Ronald C. Moe, *Administrative Renewal: Reorganizations Commissions in the 20th Century* (New York: University Press America, 2003) and Amy B. Zegart, "Blue Ribbons, Black Boxes: Toward a Better Understanding of Presidential Commissions," *Presidential Studies Quarterly* 35 no. 2 (June 2004).

⁵⁵ Jonathan Simon, "Parrhesiastic Accountability: Investigatory Commissions and Executive Power in an Age of Terror," *Yale Law Journal*, Vol. 114, 1427. Book-length studies of the history of royal commissions include Charles J. Hanser, *Guide to Decision: The Royal Commission* (Totowa, NJ: The Bedminster Press, 1965), Richard A. Chapman, ed., *The Role of Commissions in Policy-Making* (London: George Allen and Unwin, 1973), Gerald Rhodes, *Committees of Inquiry* (London: George Allen and Unwin, 1975), and T.J. Cartwright, *Royal Commissions and Departmental Committees in Britain* (London: Hodder and Stoughton, 1975).

⁵⁶ Mark Fenster, "Designing Transparency: The 9/11 Commission and Institutional Form," Whitepaper, 10. Available online at: http://works.bepress.com/mark_fenster/6/, accessed November 23, 2008.

Commissions have so proliferated in Britain that the House of Commons recently undertook a “public inquiry of public inquiries” to appraise how Parliament could become a more skilled user of them.⁵⁷

Sociologists first considered the impact of commissions more than a century ago. Max Weber singled out the effectiveness of investigatory commissions in his seminal work on public institutions. “The bureaucracy, out of a sure power instinct,” Weber wrote, “fights every attempt of the parliament to gain knowledge by means of its own experts or from interest groups. The so-called right of parliamentary investigation is one of the means by which parliament seeks such knowledge.”⁵⁸

Since Weber’s analysis, a small number of scholars have broadened our understanding of commission behavior. Most of the literature on their use in the U.S. system concerns presidential or congressional commissions that address controversial public policy topics or political scandals rather than catastrophes or policy failures. This literature, furthermore, remains divided on fundamental points, such as whether commissions are best conceived as a delay tactic used by the President or Congress to preserve the status quo or are an effective avenue of governmental transformation.⁵⁹

More celebratory strains of scholarship emphasize the ability of commissions to see for the public and to reach consensus unconstrained from ordinary political interests. Thomas Wolanin’s foundational 1975 analysis found presidential commissions to be instruments of “innovative presidential leadership” that generally facilitated government reform.⁶⁰ Wolanin concluded that, at their best, commissions operate from “above the political fray.” As one legal scholar writes, “a commission can reach—or can appear to reach—conclusions that are unaffected by the powerful private interests, personal self-interests, and ideological biases that influence politically-driven policy decisions.”⁶¹

Ronald Moe’s 2003 study of administrative reorganizations, which traces the attempts of eleven commissions to improve bureaucratic control and management,

⁵⁷ “Government by Inquiry,” First Report of Session 2004-05, Vol. I, Public Administration Select Committee, House of Commons, United Kingdom, HC 51-1 (February 3, 2005).

⁵⁸ Max Weber, “Bureaucracy,” in H.H. Gerth and C. Wright Mills (trans. and ed.), *From Max Weber* (New York: Galaxy, 1946).

⁵⁹ See Kenneth Kitts, *Presidential Commissions & National Security: The Politics of Damage Control* (Boulder: Lynn Publishers, 2006) and Kenneth Kitts, *Presidential Commission and National Security Issues*, Ph.D. Dissertation, University of South Carolina, 1995.

⁶⁰ Thomas R. Wolanin, *Presidential Advisory Commissions: Truman to Nixon*, (Madison: University of Wisconsin Press, 1975), 28.

⁶¹ Mark Fenster, “Designing Transparency: The 9/11 Commission and Institutional Form,” whitepaper, 45. Available online at: http://works.bepress.com/mark_fenster/6/, accessed November 23, 2008, 7.

generally echoes Wolanin's optimistic assessment of their instrumental value.⁶² Moe describes the pivotal role commissions play in mediating competition for control between Congress and the Executive branch. Similarly, Colton Campbell's 2002 study of congressional commissions concludes they help achieve consensus on controversial bills.⁶³ Like interest groups, commissions produce expert research and testimony that, as Kevin Esterling documents in his 2004 study on the political economy of expertise, help legislatures enact policies more likely to succeed.⁶⁴

Alongside this more celebratory strain of commission scholarship, studies have also traced commissions' limitations, including the ways in which they become politically co-opted. One of the earliest book-length treatments of investigatory commissions documents the relationship between a commission and its political environment. Edward Jay Epstein's 1966 study *Inquest: The Warren Commission and the Establishment of Truth* establishes how external pressures frequently subvert the process of fact-finding and analysis that is a commission's marquee feature. Because "a government inquiry does not take place in a vacuum," Epstein writes, but instead faces a number of countervailing pressures, the resulting investigation is often partial, producing what Epstein terms "political truth," a step-child of factual truth.⁶⁵ In their detailed case study of the Kerner Commission on civil disorder, Michael Lipsky and David Olsen similarly document how the affiliations of commission members and the commission's own political needs constrain commission behavior. Chief among the constraints was the need to maintain good relations, during the investigative phase, with political and civic officials who will implement the commission's recommendations after its disbandment.⁶⁶

Other scholars question whether commissions can be ultimately efficacious given all the constraints they face. Daniel Byman points to the short window of impact commissions have and the ease with which entrenched interests can withstand

⁶² Ronald C. Moe *Administrative Renewal: Reorganizations Commissions in the 20th Century* (New York: University Press America, 2003). For cogent criticism of Moe's methodology, see Michelle L. Chin's review of it in *Presidential Studies Quarterly*, September 2004, 704-706.

⁶³ Colton C. Campbell, *Discharging Congress: Government by Commission* (Westport, Conn: Praeger Press, 2009).

⁶⁴ Kevin M. Esterling, *The Political Economy of Expertise: Information and Efficiency in American National Politics* (Ann Arbor: University of Michigan Press, 2004).

⁶⁵ Edward Jay Epstein, *Inquest: The Warren Commission and the Establishment of Truth* (New York: Viking Press, 1966), xvi, 153.

⁶⁶ Michael Lipsky and David J. Olson, "Riot Commission Politics," *Transaction* 6 (July/August 1969), 9-21 and *Commission Politics: The Processing of Racial Crisis in America* (New Brunswick, NJ: Transaction Publishers, 1977). See also Lipsky and Olson, "Sins of Commission," *The American Prospect Online*, June 17, 2001.

called-for changes.⁶⁷ Ken Kitts, while extolling their virtues, sees national security commissions primarily as damage control devices through which Presidents manage the political consequences of unforeseen events.⁶⁸ This use of presidential commissions became a minor issue in the 2008 presidential campaign when John McCain, the Republican candidate then struggling to demonstrate his command of economic issues, called for a commission to study the unfolding financial crisis. "We're going to need a '9/11 Commission' to find out what happened and what needs to be fixed," he said.⁶⁹ In response, then-Senator Barack Obama's campaign accused McCain of trying to practice damage control. "The last thing we need is a commission to study a problem that everyone but John McCain knows is the result of the failed economic policies he has championed for the last 26 years," an Obama campaign statement said.⁷⁰ The future President characterized McCain's call for a commission as "the oldest Washington stunt in the book."⁷¹

Yet another strain of scholarship examines commission form and function. Given the wide variety of tasks that commissions perform, one legal scholar likened them to "political stem cells" that emerge from every organ of government, yet develop into very different shapes.⁷² Several scholars have derived specific typologies. David Flitner, writing in the mid-1980s, argues that commissions fall into three broad categories: procedure-oriented commissions, which examine government organization and process; situation-oriented commissions, which address controversial social phenomena; and crisis-oriented commissions, which respond to specific events.⁷³ Building on Flitner's taxonomy, Amy Zegart traces how Presidential commissions on domestic issues differ from those on foreign policy. Zegart's 2004 study classifies commissions into three types: agenda commissions, which generate support for presidential initiatives among a mass audience; information commissions, which seek to transform the views of other government officials by presenting new facts and analysis; and constellation commissions, which

⁶⁷ Daniel L. Byman, "Even the Wise Men Can't Save Us in Iraq," *Washington Post*, December 3, 2006.

⁶⁸ Kenneth Kitts, *Presidential Commissions & National Security: The Politics of Damage Control* (Boulder: Lynn Publishers, 2006).

⁶⁹ Rick Klein, "McCain Blames Greed for Wall St. Crisis; Obama Blames GOP," *ABC News*, September 16, 2008.

⁷⁰ "McCain divided over \$85B AIG bailout," *USA Today* (AP), September 17, 2008.

⁷¹ Terence Hunt and Glen Johnson, "McCain's Call for Crisis Commissions 'Oldest Washington stunt in the book,'" *Associated Press*, September 16, 2008.

⁷² Jonathan Simon, "Parrhesiastic Accountability: Investigatory Commissions and Executive Power in an Age of Terror," *Yale Law Journal*, Vol. 114, 1427.

⁷³ David Flitner, Jr., *The Politics of Presidential Commissions: A Public Policy Perspective* (Dobbs Ferry, NY: Transnational Publishers, 1986).

are designed to foster consensus among competing interests.⁷⁴ In his study of national security commissions, Princeton doctoral candidate Jordan Tama reduces this typology to either “agenda commissions” or “crisis commissions.”⁷⁵

Scholars have also examined the norms and processes through which commissions conduct investigations and organize their deliberation. The legal scholar Mark Fenster notes that they serve as both an agent of their creator and also as an administrator in their own right. In this way commissions are not passive agents but rather frequently determine their own structure, which in turn shapes their norms of practice and worldview. Commissions, in Fenster’s analysis, are thereby endowed with a great deal of independence in carrying out their mandate.⁷⁶ Fenster also notes that the success of a commission is not predicated solely on the credibility of its findings or influence on policy debate. Equally important is the extent to which commissions embrace in their operations the normative and procedural values common to public institutions.⁷⁷ A commission’s influence, in Fenster’s view, is the product of its ability to demonstrate expertise, due process, and procedural independence.

Building on Fenster’s insight that how commissions operate is as important as what they find, the legal scholar Adrian Vermeule suggests four core values of democratic constitutionalism apply to a commission’s investigative process: impartiality, accountability, transparency, and deliberation.⁷⁸ Commissions able to demonstrate their adherence to these values achieve “democratic success,” and along with it the legitimacy that enables their recommendations to be taken credibly. Vermeule’s analysis suggests that successful commissions strive to demonstrate their commitment to these values. Few studies, however, have explored how these values are instantiated in commissions’ internal processes and whether adherence to them actually enables commissions to resist political pressure or bolster their policy influence. As the sociologist Diane Vaughn writes in an article on the “Social

⁷⁴ Amy Zegart, “Blue Ribbons, Black Boxes: Toward a Better Understanding of Presidential Commissions,” *Presidential Studies Quarterly* 34, No 2 (June, 2004), 366-393.

⁷⁵ Jordan Tama, “The Policy Influence of U.S. National Security Advisory Commissions,” Conference Paper, American Political Science Association Annual Meeting, September 1, 2007, 11. Cited with permission.

⁷⁶ Mark Fenster, “Designing Transparency: The 9/11 Commission and Institutional Form,” whitepaper, 12-15. Available online at: http://works.bepress.com/mark_fenster/6/, accessed November 23, 2008.

⁷⁷ Mark Fenster, “Designing Transparency: The 9/11 Commission and Institutional Form,” whitepaper, 16. Available online at: http://works.bepress.com/mark_fenster/6/, accessed November 23, 2008.

⁷⁸ Adrian Vermeule, *Mechanisms of Democracy: Institutional Design Writ Small* (New York: Oxford University Press, 2007), 3.

Shaping of Commission Reports,” “little comparative work has been done on their internal processes and report construction.”⁷⁹

The Struggle for Policy Influence

How commissions influence branches of government they sit outside is another question the literature addresses. Scholars have long noted how being constituted outside the mechanisms of policy-making frequently leaves commission recommendations in political limbo. Commission authority typically extends only to issuing a report, after which it disbands. Except in the rarest of circumstance, commissions hold no direct authority for implementing the fixes they propose. As a result, the products of their investigation do not easily articulate with the usual mechanisms of governmental enforcement. Failure to effect desired change is a central theme.

Although the literature identifies many impediments to commission influence, few political scientists or sociologists have systematically evaluated how successful commissions are at altering the operation of public institutions and the policies that guide them. A 2009 study by Jordan Tama that examines fifty national security commissions issuing findings between 1981 and 2005 is the first to undertake a large-scale statistical analysis of commission policy influence. Tama specifically examines how the political context and structure of a commission correlates with the adoption of its recommendations.⁸⁰ His findings suggest that roughly half of commissions’ key recommendations are adopted within two years. By Tama’s count, nearly twice as many recommendations of crisis commissions are adopted as agenda commissions—a finding that is the first to quantify how a scandal or disaster accentuates policy influence. His analysis further indicates that commissions are more successful when chartered to tackle problems of narrow scope and have fewer members with more prestigious reputations.⁸¹

From his three-year study, Tama concludes commissions function as “a distinct form of political credibility” that enable the construction of policy “focal

⁷⁹ Diane Vaughan, “The Social Shaping of Commission Reports,” *Sociological Forum*, Vol. 21, No.2 (June, 2006).

⁸⁰ Jordan Tama, “From Crisis to Reform: The Impact of National Security Commissions,” doctoral dissertation, Woodrow Wilson School of Public and International Affairs, Princeton University, September, 2009.

⁸¹ Jordan Tama, “Reforming Defense Acquisition,” PPI Memo to the New President, January 15, 2009 and Tama, communications with author, 2008 and 2009.

points.”⁸² In Tama’s view, political credibility, as generated by the independence, stature, and ideological diversity of commissions members, is the primary source of their influence, not the ability to serve as a mediator of expertise. In perhaps his most striking claim, Tama advances the view that most commissions merely synthesize existing information and analysis.⁸³ Tama accounts for this departure from settled wisdom by arguing that the proliferation of expert bodies such as the National Academy and RAND, a global policy think tank, means lawmakers are increasingly unlikely to call upon commissions to mediate expert knowledge.

Although Tama’s research suggests commission recommendations are adopted at a high rate, adoption is not always synonymous with successful implementation. The study of commissions’ ultimate policy influence brings into focus the more general topic of how governmental reforms are implemented, a process first studied in detail by the political scientist Aaron Wildavsky.⁸⁴ Rather than viewing implementation as the straightforward, unproblematic fulfillment of technocratic ends, Wildavsky sees it as a continuation of politics by other means. The issuance of commission recommendations or passage of a reform bill does not constitute reform itself but rather marks the beginning of a new political struggle. The true test of reform will occur as bureaucratic agents begin assembling the infrastructure that a reform calls for, a process frequently undercut by special interests, internal bureaucratic resistance, tokenism, and delay. The reasons for resistance are easy to grasp. To many individuals in a bureaucracy, organizational change entails a decrease in authority or historical prerogatives. Resistance takes many forms, from appearing to acquiesce to the new policy but not carry out intended changes, to hijacking new resources for different ends.⁸⁵

⁸² Jordan Tama, “From Crisis to Reform: The Impact of National Security Commissions,” doctoral dissertation, Woodrow Wilson School of Public and International Affairs, Princeton University, September, 2009, 10.

⁸³ Jordan Tama, “From Crisis to Reform: The Impact of National Security Commissions,” doctoral dissertation, Woodrow Wilson School of Public and International Affairs,” Princeton University, September, 2009, 10, 41-43, 260.

⁸⁴ Jeffrey L. Pressman and Aaron Wildavsky, *Implementation: How Great Expectations in Washington are Dashed in Oakland; or Why It’s Amazing that Federal Programs Work at all*, 3rd ed., (Berkeley: University of California Press, 1984).

⁸⁵ Helen Ingram, “Implementation: A Review and Suggested Framework,” in Naomi B. Lynn and Aaron Wildavsky, eds., *Public Administration: The State of the Discipline* (Chatham, N.J.: Chatham House Publishers, 1990), and Robert T. Nakamura and Frank Smallwood, *The Politics of Policy Implementation* (New York: St. Martin’s Press, 1980). See also Paul A. Sabatier and Daniel A. Mazmanian, “Policy Implementation” in Stuart S. Nagel, ed., *Encyclopedia of Policy Studies* (New York: Marcel Dekker, 1982) and Donald J. Calista in Stuart S. Nagel eds. *Encyclopedia of Policy Studies*, 2nd Ed. (New York: CRC Press, 1994).

The political scientist Erik Patashnik expands upon Wildavsky's scholarship by noting how the implementation process is predicated not merely on the construction of new policy regimes, but also on the disassembly of existing systems.⁸⁶ Patashnik has found that the continuing actions of elected officials, not just bureaucrats, matters tremendously to the success or failure of reform. The literature on implementation further suggests that reform will occur differently in those agencies that have been cobbled together from once-independent units. "Making a new agency from old cloth," according to Peter May and Walter Williams, leads to a "fiefdom problem" in which powerful internal actors function as "dukes" and the agency head as "king."⁸⁷ Under this schemata, a number of agencies of the national security state, including the Office of the Director of National Intelligence and NASA, are candidates for the "fiefdom problem." The literature also suggests that external monitoring is a crucial variable in successful implementation.⁸⁸

1.2 Theories for Why Commissions Fail

Political scientists are not the only students of the failure of implementation. Commissions often find themselves studying why prior policy reforms failed to take hold or why the government was unable to anticipate new circumstances before disaster struck. Commissions even frequently end up examining why prior commissions failed to achieve their aims.

The prevailing explanation for governmental inaction in the face of looming catastrophe, proffered to an extent by investigations themselves and also articulated in the social science literature on organizational learning, is that a combination of bureaucratic inertia and structural impediments present barriers to organizational change.⁸⁹ On one hand, studies in political science emphasize how powers of divided government and incentives of political actors rarely enable programs of reform to be

⁸⁶ Erik M. Patashnik, *Reforms at Risk: What Happens After Major Policy Changes are Enacted* (Princeton: Princeton University Press, 2008), 4-6.

⁸⁷ Peter J. May and Walter Williams, *Disaster Policy Implementation: Manage Programs under Shared Governance* (New York: Plenum Press, 1986), 41-42.

⁸⁸ Eugene Bardach, *The Implementation Game: What Happens When a Bill Becomes Law* (Cambridge: MIT Press, 1977), 268-83.

⁸⁹ See Steven Maynard-Moody, Donald D. Stull and Jerry Mitchell, "Reorganization as Status Drama: Building, Maintaining, and Displacing Dominant Subcultures," *Public Administration Review*, Vol. 49, No. 4 (Jul.-Aug., 1986), 301-310 and Craig W. Thomas, "Reorganizing Public Organizations: Alternatives, Objectives, and Evidence," *Journal of Public Administration Research and Theory: J-PART*, Vol. 3, No. 4 (Oct., 1993), 457-486.

fully implemented.⁹⁰ The inherent need for legislative compromise, narrow interests of elected officials, and weak oversight tools impose limitations on the rational redesign of government agencies. Studies in organizational sociology in turn highlight resistance to change within organizations, showing how the internal dynamics of large institutions militate against large-scale realignments in which power, turf, and function are at stake.⁹¹ The literature's conclusions are succinctly distilled in the Washington aphorism that it usually takes two disasters to fix institutional problems.

Not all scholars assent to prevailing theories of governmental inaction. Academics in management studies often sound more hopeful notes about the capacity of individuals and institutions to respond to changing circumstances.⁹² Still other scholars posit deeper critiques of how knowledge about public disaster and policy failure is generated and received. Constructivist critiques of accident investigations from sociology and science and technology studies suggest that investigations are motivated by political imperatives and the psychological effect of hindsight bias to overstate the degree to which disasters might be prevented.⁹³ Sociologists studying technological systems add still a further caveat, viewing disasters as inherent consequences of risky technology and the complex organizations created to manage it.⁹⁴ In this view, disasters are 'normal.'⁹⁵ To believe otherwise, normal accident theorists argue, is to fundamentally mischaracterize the nature of modern technological systems. Commissions, according to this line of critique, often misunderstand the nature of the problem they face.

Still other scholars argue that the very process by which disaster investigations gather evidence and frame issues dispose them to certain conclusions. Science studies

⁹⁰ For a classic overview, see James Q. Wilson, *Bureaucracy: What Government Agencies Do and Why They Do It* (New York: Basic Books, 1991).

⁹¹ See Thomas A. Koelble, "The New Institutionalism in Political Science and Sociology," *Comparative Politics*, Vol. 27, No. 2 (Jan., 1995), 231-243.

⁹² Max H. Bazerman and Michael D. Watkins, *Predictable Surprises: The Disaster You Should Have Seen Coming, and How to Prevent Them* (Boston: Harvard Business School Press, 2004).

⁹³ Sheila Jasanoff, ed. *Learning from Disaster: Risk Management After Bhopal* (Philadelphia: University of Pennsylvania Press, 1994). See also Lynn Eden, *Whole World on Fire: Organizations, Knowledge, and Nuclear Weapons Research* (Ithaca: Cornell University Press, 2004), Lee Clarke, *Mission Improbable: Using Fantasy Documents to Tame Disaster*, (Chicago: University of Chicago Press, 1999).

⁹⁴ See Barry Turner, *Man-Made Disasters* (2nd Ed.), (New York: Butterworth, 1997), Diane Vaughan, *Challenger Launch Decision: Risky Technology, Culture, and Deviance at NASA* (Chicago: University of Chicago Press, 1996), Aaron Wildavsky *Searching For Safety* (New Brunswick: Transaction Books, 1988).

⁹⁵ Charles Perrow, *Normal Accidents: Living with High Risk Technologies* (2nd ed.) (Princeton: Princeton University Press, 1999).

scholar Sheila Jasanoff notes that the process of public truth-seeking is itself profoundly formed by habits of thought and ideological preferences that operate at the level of the nation-state.⁹⁶ In her research, Jasanoff explores how nation-states offer competing models of rationality and judgment in their investigation of disaster.⁹⁷ Striking differences exist in standard operating procedure of Britain and U.S. commissions. They include the form of inquiry (judicial vs. bipartisan commission), how authority is constituted (state-embodied, service based vs. pluralist, interest based), the way evidence is interrogated (assumption of trust vs. assumption of distrust) and how judgment is based (common sense empiricism vs. formal analytic methods).⁹⁸

Jasanoff terms “civic epistemology” the public expectations about the institutions and procedures through which policy-relevant knowledge is produced, framed, and evaluated. Taking on board an understanding of civic epistemology enables a greater reflexivity about how assumptions and power relations are embedded in knowledge claims and institutional arrangements. To grasp the styles of reasoning operating in a political culture or specific institutions, such as commissions, is to come to terms with how public knowledge is made and therefore how it can be used. More reflexive institutions leverage their awareness of how they generate knowledge to identify weaknesses and blind spots, thereby preventing catastrophic outcomes before they occur.

Constructivist scholars thus argue that post-hoc narratives of preventability that have become standard fare in commission investigations are encouraged by the ideology of science, public aversion to fatalism, and political expectation of arriving at a definitive cause. A straightforward admission that most accidents are simply impossible to prevent is politically unpalatable, this line of critique argues, as is concentrating blame in the hands of powerful political actors.

As a result of these rigidities, investigations tend to look elsewhere for cause, often finding it lodged deep inside institutions in the banality of bureaucratic

⁹⁶ Sheila Jasanoff, “Restoring Reason: Causal Narratives and Political Culture,” in Bridget Hutter and Michael Power, eds. *Organizational Encounters with Risk* (Cambridge, UK: Cambridge University Press, 2005). Clarke Miller has done derivative work on civic epistemology. See Clark A. Miller, “The Study of Public Reasoning,” NSF Workshop on the Social Sciences and Science Policy, July 13-14, 2006. Available online at <http://www.cspo.org/ourlibrary/papers/Miller.pdf>. Accessed December 3, 2008.

⁹⁷ Ian Hacking, *Historical Ontology* (Cambridge, MA: Harvard University Press, 2002).

⁹⁸ Sheila Jasanoff, “Restoring Reason: Causal Narratives and Political Culture,” in Bridget Hutter and Michael Power, eds. *Organizational Encounters with Risk* (Cambridge, UK: Cambridge University Press, 2005), Table 1: “Civic Epistemology: A Comparative Overview.”

behavior. The managerial and structural failures that investigators come ineluctably to finger take hold in the public mind not only because they are politically palatable to entrenched interests, but also because they meet deeply seated expectations about how disasters happen.⁹⁹ Extreme proponents of this line of argument contend that the 9/11 Commission recommendations are a reflection of the American public's steadfast anti-fatalism in the face of terror attacks and received preference for centralizing control. Similarly, in the case of the Challenger and Columbia shuttle investigations, the space shuttle's totemic status as an emblem of national power, and the public's need to believe that astronauts are not at serious risk, leads inevitably to the judgment that space accidents are preventable.¹⁰⁰

Constructivist scholars further note that the preferred way to address these bureaucratic failures is reorganization. As the sociologists John Meyer and Brian Rowan argue in their classic work on symbolism and institutional organization, tremendous pressure is exerted on organizations to correspond to symbolic norms that may bear little relation to particular instrumental ends.¹⁰¹ Reorganization, in this view, is a cultural ritual that reaffirms sacred beliefs in efficiency and the ability to order human affairs, even if the actual reorganization achieves few material gains. As James March and Johann Olsen articulated more than twenty years ago, reorganization "is part of the process by which a society develops an understanding of what constitutes a good society without necessarily being able to achieve it, and how alternative institutions may be imagined to contribute to such a world."¹⁰²

Anthropologists take the symbolic analysis of post-disaster investigation still further. Extending work first undertaken by Victor Turner on the ritualistic nature of conflict resolution, anthropological commentators highlight how political institutions work to rebuild social order in the aftermath of catastrophe. Following Turner's elucidation, disasters initiate a "social drama" in which obligations that underwrite the existing social order have been violated.¹⁰³ In Turner's four-part taxonomy, a breach

⁹⁹ Sheila Jasanoff, "Restoring Reason," and Sheila Jasanoff, ed. *Learning from Disaster: Risk Management After Bhopal* (Philadelphia: University of Pennsylvania Press, 1994).

¹⁰⁰ Sylvia Kraemer (formerly Sylvia Fries), remarks, Society for the History of Technology symposia on the Columbia accident, Atlanta, Georgia (October, 2003).

¹⁰¹ See John W. Meyer, Brian Rowan, "Institutionalized Organizations: Formal Structure as Myth and Ceremony," *American Journal of Sociology* Vol. 83, No. 2 (Sept. 1977), 340-63 and W. Richard Scott "Reflections on a Half Century of Organizational Sociology," *Annual Rev. of Soc.* 2004 30:1-21.

¹⁰² James G. March, Johann P. Olsen, "Organizing Political Life: What Administrative Reorganization Tells us about Government," *American Pol Sci Review* Vol. 77, No. 2 (June, 1983), 281-296.

¹⁰³ Victor Turner, *Schism and Continuity in an African Society: a Study of Ndembu Villiage Life* (Manchester, England: Manchester University Press, 1957) and *Dramas, fields and metaphors: Symbolic action in human society* (Ithaca, NY: Cornell University Press, 1974).

in the social order precipitates a crisis calling for redressive action, through which offending parties are reintegrated into the social hierarchy. The subsequent crisis of authority calls for putative measures to be taken, which takes the institutional form of a public inquiry.

When viewed as part of an unfolding “social drama,” the function of post-accident inquiries is seen as part of a larger negotiation carried out in order to redress societal breakdowns. The swinging into action of formal judicial and legal machinery whose work is conducted before the public eye functions to heal a breach in the social order. Only after the performance of this public ritual can society bring closure to the trauma it experienced and begin the phase of reintegration and renewal.

An important consequence of this view is the possibility that commissions are epiphenomenal to the process of reform. Rather than conceived of as solely remaking government institutions and policies, commissions may instead be participating in a repair of the social order, a process that services other fundamental symbolic and democratic needs. When viewed in this light, the frequent failure of commission recommendations to be implemented is more readily understood.

Turner’s symbolic perspective is echoed by Stephen Hilgartner’s work, *Science on Stage: Expert Advice as Drama*.¹⁰⁴ Hilgartner treats expert advice as performance, examining the social machinery used to resolve and close controversy as well as the techniques through which credibility is produced. Routines, props, and procedures of self-presentation that are part of the stagecraft of public inquiry figure prominently in Hilgartner’s analysis, as does information control. He charts how commissions selectively deploy these instruments to gain credibility and ensure the promulgation of expert consensus that ultimately holds public respect. In Hilgartner’s estimation, successful commissions make full use of the performative dimensions of their operation.

Other dramaturgical analyses take account of the multiple forms of testimony and public display in commission proceedings. Jonathan Simon, for instance, notes a recent trend toward a mode of truth-telling in which affected individuals speak out using the power of their first-hand experience.¹⁰⁵ Drawing on Foucault’s concept of “fearless speech,” or parrhesia, Simon analyzes the role victims of the 9/11 attacks

¹⁰⁴ Stephen Hilgartner, *Science on Stage: Expert Advice as Public Drama* (Stanford, CA: Stanford University Press, 2003).

¹⁰⁵ Jonathan Simon, “Parrhesiastic Accountability: Investigatory Commissions and Executive Power in an Age of Terror,” *Yale Law Journal*, Vol. 114, 1427.

played in its public inquiry.¹⁰⁶ He argues that the presence of victims transformed the 9/11 Commission from merely prosecuting the “analytics of truth” into a more powerful assemblage in which emotional laden, frank testimonials and lobbying by the victims and their families greatly enhanced the commission’s political power. Because victims and lay people often lack expertise in the matters they seek to influence, critics contend that mixing parrhesia with traditional forms of inquiry constitutes an “amateurism run wild” that risks a perversion of the commission process.¹⁰⁷

1.3 Commissions and Social Learning

Whatever the symbolic functions of investigative commissions, employing them and implementing their recommendations is by its very nature a process of collective learning. To trace the politics of disaster and reform is, in essence, to examine how societies learn.

Learning is a central focus of social science, and also one of its most methodologically challenging subjects of inquiry. The literature primarily defines learning as generating new knowledge, skills, ways of thinking, or modes of social organization.¹⁰⁸ Debates about learning concern its ontological nature, including who or what learns; the mechanisms by which it occurs; and how change driven by learning can be differentiated from change driven by other factors.¹⁰⁹ One scholar went so far as to describe the cluster of conceptual issues involved in studying learning as a “conceptual minefield.”¹¹⁰

Sociologists and political scientists studying learning in organizations are forced to confront the level of social aggregation at which learning occurs. Some view learning as a process that is rooted primarily in individuals, while others posit

¹⁰⁶ Michael Foucault, “Fearless Speech,” in Joseph Pearson ed., *Fearless Speech*, (New York: Semiotext, 2001), 170.

¹⁰⁷ Mark Fenster, “Designing Transparency: The 9/11 Commission and Institutional Form,” whitepaper, 45. Available online at: http://works.bepress.com/mark_fenster/6/, accessed November 23, 2008.

¹⁰⁸ L. Etheredge, “Government Learning: An Overview,” in S. Long (ed.), *The Handbook of Political Behavior: Volume 2* (New York: Plenum Press, 1981), 73-171 and L. Etheredge, *Can Governments Learn?* (New York: Pergamon, 1985). See also D. Nicolini, D. and M. Meznar, “The Social Construction of Organizational Learning: Conceptual and Practical Issues in Field,” *Human Relations*, Vol. 48, No. 7 (1995), 727-746.

¹⁰⁹ Eric Stern, “Crisis and Learning: A Conceptual Balance Sheet,” *Journal of Contingencies and Crisis Management*, Vol. 5. No. 2 (1997), 69-86.

¹¹⁰ J. Levy, “Learning and Foreign Policy: Sweeping a Conceptual Minefield,” *International Organization*, Vol. 48, No. 2, (Spring, 1994), 279-312.

that systematic learning also occurs in organizations, or even large-scale structures, such as the nation-state or international system.¹¹¹ Scholars of public policy and public administration typically study learning at more intermediate levels. Policy formulation and political action typically occur within smaller-scale social structures where individuals are interacting collectively in organizations or through networks.¹¹² Units of learning within political structures have been a particular focus of inquiry. The notion of an “epistemic community” has emerged to describe the network of experts involved in a policy enterprise who share normative beliefs, causal models, and notions of empirical validity.¹¹³ Disaggregating institutions into causal units, and understanding their relation to each other and to dominant ideologies, is a vital task both of commissions and those who seek to study their effects. Commissions thus study processes of learning in organizations even as they participate in social learning at the societal level.

Closely connected to studies of organizational learning is the more general question of how ideas are transmitted into politics.¹¹⁴ One causal mechanism that has proved particularly powerful to the study of political science and sociology is the idea of frames. Frames are more than angles of visions. They are entire schemes of interpretation that shape how situations are viewed. Frames in this way embed assumptions about the world and the way it is supposed to work.¹¹⁵ Organizations come to embody frames and the ideas and assumptions they comprise at many levels. Commissions, then, must be attentive to the frames that reside in institutions and the individuals who work within them. Sociologists from Weber onward have studied how frames, ideas, and behaviors are inculcated in institutions through processes of group socialization, routinization, and standardization. All of these social processes have been shown to be active in causing disasters and shaping the learning that occurs in their aftermath.¹¹⁶

¹¹¹ G. Modelski, “Is World Politics Evolutionary Learning?,” *International Organization*, Vol. 44, No. 1 (1990), 1-24.

¹¹² J. March and J. Olsen, *Rediscovering Institutions: The Organizational Basis of Politics* (New York: Free Press, 1989).

¹¹³ John L. Campbell, “Ideas, Politics and Public Policy,” *Annual Review of Sociology* 28 (2002), 20.

¹¹⁴ Daniel W. Drezner, “Ideas, Bureaucratic Politics, and the Crafting of Foreign Policy,” *American Journal of Political Science* Vol. 44, No. 4 (Oct, 2000).

¹¹⁵ Foundation work on frames was done by Erving Goffman. See Erving Goffman, *Frame analysis: An Essay on the Organization of Experience* (London: Harper and Row, 1974).

¹¹⁶ See the works of Max Weber, Michael Foucault, Pierre Bourdieu, and also Diane Vaughan, *Challenger Launch Decision: Risky Technology, Culture, and Deviance at NASA* (Chicago: University of Chicago Press, 1996) and Scott Snook, *Friendly Fire: The Accidental Shootdown of U.S. Black Hawks over Northern Iraq* (Princeton: Princeton University Press, 2000).

What motivates learning also helps determine how it will occur. Diane Vaughan argues that the process of institutional learning after a disaster is fundamentally experienced-based learning in which the future is anticipated based on past history.¹¹⁷ In this way, risk and the rules and procedures designed to avert it become “memory bumped forward,” in the words of Sheila Jasanoff.¹¹⁸ Memory, however, is often lost in this process. A defining feature of institutions is that the very process of adapting to new risks often renders invisible the events that motivated the adaptation. Institutional memory embodied in new routines thus may remain hidden from future employees who lack knowledge of their originating event. Institutions forget even as they learn, “black boxing” particular lessons and processes in order to focus on other tasks. An organization’s history, and what of it is transmitted to new employees, is therefore often a key reservoir of clues to what caused disaster. Only by investigating the social processes of organizational learning can commissions help societies learn.

Commissions, then, are simultaneously taking part in social processes even as they explore their causal effects. They help societies learn by understanding how learning functions in organizations and individuals, but also by being aware of the functions they themselves fulfill in the political and social order. In this way, the practices employed during the investigation that determine how commissions themselves learn shape the way public knowledge is created and received. Yet in spite of studying all of these things, scholars have yet to reach consensus on when and how commissions influence policy. The case studies that follow attempt to draw these threads together by reconstructing the history of two crisis commissions and process tracing the causal mechanisms acting on their investigation and reforms.

¹¹⁷ Diane Vaughan, *Challenger Launch Decision: Risky Technology, Culture, and Deviance at NASA* (Chicago: University of Chicago Press, 1996).

¹¹⁸ Sheila Jasanoff, “Risk in Hindsight: Constructing a Politics of Resilience,” in Ingo K. Richter, Sabine Berking, and Ralf Müller-Schmid, eds., *Risk Society and the Culture of Precaution* (London: Macmillan, 2006), 28-46.

Chapter 2

The Columbia Investigation

At 9 a.m. on the morning of February 1, 2003, while traveling 12,000 miles an hour above Dallas, the Space Shuttle *Columbia* came apart, raining debris over 300 miles of Texas and Louisiana prairie. All seven astronauts aboard were lost. As the television news network CNN played video of the shuttle break-up to a waking nation, NASA officials reached for a black binder they had hoped never to open. Labeled “Agency Contingency Action Plan,” the binder contained procedures for what to do in the event of a catastrophic accident, including emergency telephone numbers for a pre-established board of military and civil officials who stood ready to begin an investigation.¹¹⁹ When NASA confirmed the shuttle’s loss, managers activated the plan, setting in motion what became the largest accident investigation in history.¹²⁰

As the primary instrument used to diagnose what brought the space shuttle to grief, the Columbia Accident Investigation Board produced the officially accepted understanding of the accident’s cause, a judgment about whether it was preventable, and issued recommendations to prevent a reoccurrence. This chapter links an examination of the unfolding investigation to a more general analysis of the politics of disaster and reform, focusing especially on three pivotal elements that drove events.

First, the scope of the investigation’s 248-page report was markedly different from what was envisioned in its original charter. The striking redefinition of mission that occurred inside the investigation from the activation of NASA contingency plans to the issuing of its report in late August 2003 suggests it could have assumed a wide variety of forms, with attendant differences in causal findings. A major question is how the investigation broke free from its initial framing as a strictly technical investigation under NASA control.

Second, by separately identifying physical and organizational causes, the Columbia investigation articulated an understanding of accident causation unique in

¹¹⁹ “Agency Contingency Action Plan (CAP) for Spaceflight operations (SFO),” *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, Appendix G2, Volume V.

¹²⁰ Direct costs of the investigation reached \$500 million, most of which was spent on the search for debris. The American Institute of Aeronautics and Astronautics estimates total costs of return to flight efforts at \$13 billion.

the history of official investigations. To understand why the investigation made intellectual history, this chapter examines the ways in which the investigation constructed its analytic capacity, independence, and legitimacy, and how the deep interrelation of these elements led to the specific notions of cause the Board adopted. The comprehensive understanding of causation embraced by the investigation, as will become apparent, was the product of congressional directives, culturally-based clashes between expert groups on the investigation's staff, and an unusual trafficking in ideas between academic experts and Board officials.

Third, and most critically, this account shows how the Board's thought and action was shaped by its awareness that prior expert reviews had failed to achieve organizational reform in the shuttle program. NASA's history of resisting commission-mandated reforms catalyzed internal strategizing about how the Columbia investigation's recommendations could be styled to avoid a similar fate. Investigators and Board members wrestled with what they took to be the limits of their ability to shape the internal culture and structure of NASA. Tracing how this reflexivity shaped the Board's recommendations as well as its relationships with the media, Congress, and NASA itself, is crucial to understanding how commissions can use the dynamics of investigation to their advantage.

2.1 The Investigation's Initial Framings

Disaster plans, the sociologist Lee Clarke convincingly argues in his book *Mission Improbable*, are best thought of as rhetorical attempts by managers to persuade themselves and the public that control can be maintained in unforeseeable circumstances.¹²¹ These "fantasy documents," as Clarke calls them, reveal far more about organizationally-based ideologies of control than they do the ability of institutions to manage crisis situations. In light of Clarke's analysis, it is striking to note that for the first six years of the shuttle program, NASA had no plan for what to do in the event of a serious accident. Shuttle program managers considered the

¹²¹ Lee Clarke, *Mission Improbable: Using Fantasy Documents to Tame Disaster* (Chicago: University of Chicago Press, 1999).

vehicle they operated to be so safe that NASA need not anticipate the loss of an orbiter or crew.¹²²

The idea of a risk-free shuttle shattered on the cold morning of January 28, 1986, when the shuttle *Challenger* exploded 73-seconds after launch. The failure of an O-ring seal in a right solid rocket booster joint led to the loss of six astronauts and their educator colleague Christa McAuliffe. NASA managers were caught unprepared and badly managed the subsequent investigation, harming NASA's image as a "can-do" government agency.

In the absence of a NASA plan to determine what caused the *Challenger*'s loss, Ronald Reagan appointed a presidential commission chaired by former Secretary of State William Rogers. The Rogers Commission, as it came to be known, initially worked in cooperation with an internal NASA investigation. On February 9, 1986, however, the *New York Times* reported the existence of a longer history of concern about O-ring performance than NASA admitted in public.¹²³ In ensuing days the commission determined that NASA officials had not been fully forthcoming with information and documents. Strikingly, NASA neglected to tell investigators that engineers from Morton Thiokol, the O-ring manufacturer, initially recommended against launch during an emergency teleconference held the night before the fatal accident. In light of these revelations, the Rogers Commission began treating shuttle program personnel as hostile subjects. Special agents from the Federal Bureau of Investigation joined the investigation. NASA's betrayal of trust left feelings of ill-will in Congress and the public that reawakened in the Columbia investigation's initial days.¹²⁴

Following the *Challenger* accident, NASA officials created a contingency plan that outlined procedures to be followed after a mishap, as accidents are known in NASA parlance.¹²⁵ The plan, later extended to cover operations of the International Space Station, anticipated that NASA, rather than a presidential commission, would remain in control. It went on to prescribe the investigation's structure and scope and

¹²² *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 231.

¹²³ See Diane Vaughan, *Challenger Launch Decision: Risky Technology, Culture, and Deviance at NASA* (Chicago: University of Chicago Press, 1996), 8-10.

¹²⁴ See, for example, David Halbfinger, "Loss Of The Shuttle: The Inquiry; Panel Says Shuttle Began to Break Up Over California," *The New York Times*, February 19, 2003.

¹²⁵ "Agency Contingency Action Plan (CAP) for Spaceflight operations (SFO)," *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, Appendix G2, Volume V.

specified that a standing board of seven experts chosen from across government would conduct it. The NASA Administrator would name an investigation chairperson at the time of the accident. The officials included:

- Head of the Air Force Safety Center
- Representative from Space Command
- Representative from U.S. Material Command
- Director of the Federal Aviation Administration's Office of Investigation,
- Commander of the Naval Safety Center
- Director of the Aviation Safety Division of the Department of Transportation's Volpe Center
- Director of a NASA Field Center or NASA Program Administrator not directly involved in the mission.¹²⁶

Members with policy and organizational risk analysis as their primary skills were conspicuously absent from the pre-drawn investigative board. Nor did NASA's contingency plan envision this type of expertise as essential to understanding what caused a shuttle accident. Drawing language from formal definitions used by accident investigations, the draft charter described a strictly technical mandate: "Determine the facts, as well as the actual or probable causes of the shuttle mishap in terms of primary cause(s), and potential cause(s) and recommend preventive and other appropriate actions to preclude recurrence of a similar mishap."¹²⁷

NASA and the National Security State

¹²⁶ Members of this standing accident investigation board rotated on and off as they moved in and out of the federal jobs named above. NASA periodically briefed and conducted exercises with committee members, though in general preparations for the committee's activation were kept to a minimum. Conversations with Steven Wallace, Board member, April, 2003. NASA updated this plan in 2002 and conducted an exercise with Board members in November 2002, just three months before the *Columbia* accident. House Subcommittee on Space and Aeronautics and Senate Committee on Commerce, Science and Transportation, *Space Shuttle Columbia*, 108th Congress, 1st Session, February 12, 2003 (Washington, D.C.: Government Printing Office, 2003), 10-11, 136.

¹²⁷ Investigation charter issued to Admiral Harold Gehman by Administrator Sean O'Keefe on February 2, 2003, cited from *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Appendix G3, Volume V.

The exclusive selection of technical experts to serve on the standing investigatory committee reflected not only the technocratic mentality of NASA, but also the firm belief, grounded in NASA and public opinion, that the primary purpose of shuttle investigations is to determine the accident's technical cause, rather than to undertake a more fundamental examination of the human exploration program. Though the scientific community argues that robotic exploration is far more cost effective and less risky than human exploration, NASA has always conceived of human space exploration as its primary mission.

The *Challenger* accident, rather than serving as an occasion to re-evaluate the reasons behind human spaceflight, prompted official reaffirmations that NASA's mission in space would continue. On the night of the *Challenger* accident President Ronald Reagan was to deliver the State of the Union address before a joint session of Congress. Instead he eulogized the *Challenger* astronauts in a nationally televised speech delivered from the Oval Office. Reagan left no ambiguity about whether the space program would continue. "The future," he said, "doesn't belong to the fainthearted. It belongs to the brave.... We'll continue our quest in space. There will be more shuttle flights and more shuttle crews and, yes, more volunteers, more civilians, more teachers in space. Nothing ends here; our hopes and our journeys continue."¹²⁸

Reagan's unhesitating commitment to the shuttle program reflected the tremendous popularity of human spaceflight. As Howard McCurdy argues in *Space and the American Imagination*, public support for NASA arises from deeply seated cultural ideals that align with the symbolic meanings of space exploration. Though NASA's ventures in space are often rationalized in the language of scientific experimentation, space flight recalls favored American motifs of the heroic explorer, the limitless frontier, and progress through technology.¹²⁹

NASA actively cultivates this cultural fascination. Among its missions are outreach and education. A considerable portion of NASA sees to it that the American public becomes involved in its activities. NASA formerly sponsored science fairs and offered experimental space on shuttle flights to elementary, middle and high school science students. Alone among government agencies, NASA runs a 24-hour

¹²⁸ President Ronald Reagan, Address to the Nation on the Shuttle Challenger Accident, January 28, 1986.

¹²⁹ Howard McCurdy, Von Hardesty and Karin Kaufman (eds.), *Space and the American Imagination*, (Washington: Smithsonian Institution Press, 1999).

television channel carried by most commercial cable providers, piping coverage of spaceflight as entertainment into millions of American homes.¹³⁰ The contractors that perform much of the work on the shuttle program underwrite the production of popular IMAX movies about space exploration, as well as ad campaigns on television and in print media.¹³¹ Even astronauts are selected in part for their capacity to conduct media interviews and carry a message to the public; those motives animated the “teacher in space” program that placed Christa McAuliffe on the ill-fated *Challenger*.

Public favor for the shuttle program, moreover, cannot be separated from larger ideological and political commitments that bind a polity to the state. In *The Descent of Icarus*, Israeli political scientist Yaron Ezrahi argues that science itself, like religion before the enlightenment, is a crucial political resource that modern technological states employ to construct and legitimate their political power.¹³² In Ezrahi’s analysis, the space shuttle serves as a lodestar for national identity—a machine that becomes a metaphor reinforcing the legitimacy of the state. Through exploring the heavens, the space shuttle helps reinforce order on earth.

Historically, the shuttle program is an outgrowth of the Cold War era in which space exploration served as an explicit proxy for superpower competition. The rationale for an American presence in space was linked to notions of military necessity, views of space as a battlefield to be controlled, and the close connection between space rockets and ballistic missile technology.¹³³ The early history of NASA, as well as its forerunner, the National Advisory Committee For Aeronautics, embodies the nascent post-World War II alliance of science and the state. Apollo rockets, and later the shuttle, served as visual demonstrations of the supremacy of democracy and the market over dictatorship and collectivist systems of production.

Illustrating the connection between space exploration and the state helps frame the context of the Columbia investigation. The investigation of the nation’s second shuttle disaster, like the investigation into its first, began only after the President

¹³⁰ For a description of NASA TV’s mission and programming schedule, see <http://www.nasa.gov/multimedia/nasatv/index.html>.

¹³¹ The popular Warner Brothers IMAX films “Hail Columbia!”, “The Dream is Alive,” “Blue Planet,” “Destiny in Space,” and “Mission to Mir” are each funded in part by the Lockheed Martin corporation.

¹³² Yaron Ezrahi *The Decent of Icarus: Science and the Transformation of Contemporary Democracy* (Cambridge: Harvard University Press, 1990).

¹³³ Walter McDougal, *Heavens and the Earth: A Political History of the Space Age*, (Baltimore: Johns Hopkins University Press, 1985, 1997).

himself left little doubt that the U.S. mission in space would continue. In his address on the afternoon of the *Columbia* accident, President George W. Bush told the nation that there were no survivors. He then remarked, “The cause in which they died will continue. Mankind is led into the darkness beyond our world by the inspiration of discovery and the longing to understand. Our journey into space will go on.”¹³⁴ The political boundaries of investigation were thus established even before the investigation board gathered on the day of the accident.

2.2 Establishing Independence

Though styled in NASA’s contingency plans as a methodical, dispassionate search for technical failure, the Columbia investigation in fact lay in a vortex of political concerns, chief of which was whether the Board was sufficiently independent to investigate the agency that chartered it. A fundamental reconsideration of the investigation’s structure and purpose eventually proved necessary. How the Board chose to balance the competing demands placed on it by NASA and by Congress shaped the analytic capacities it developed, as well as the ultimate conclusions it reached. Tracing this relationship reveals a powerful connection between the capacities of disaster investigations and their political context.

Control of the investigation was contested at the outset. Still stung by NASA stonewalling after the *Challenger* accident seventeen years before, members of Congress initially assailed the accident board’s credibility, asking reasonably enough how NASA could be trusted to investigate itself.¹³⁵ Before settling into its offices the Board was besieged by critics calling for its replacement by a presidential commission.¹³⁶ With few sources of credibility other than its association with NASA, which proved to be a liability, Board members began to realize that the integrity of

¹³⁴ The White House, “President’s Addresses Nation on Space Shuttle Columbia Tragedy,” February 1, 2003.

¹³⁵ Dozens of media articles chronicle the concerns voiced by Members of Congress and others. The following op-ed, published in the Houston Chronicle, the hometown newspaper of the Johnson Space Center, is representative: Helen Thomas, “Shuttle Panel Could Use a Few Detached Observers,” *The House Chronicle*, February 16, 2003. See also, The Associated Press “NASA Once Again Closes Its Doors to Reporters,” *The Seattle Times*, February 12, 2003.

¹³⁶ See, for example, “Fixing the Shuttle Inquiry,” editorial, *The New York Times*, February 16, 2003.

their undertaking was under threat.¹³⁷ Just as the Board needed to construct an airtight scientific case for what caused the *Columbia* accident, so too it needed to construct its own political credibility. Steps had to be taken to achieve both a measure of independence and the appearance of independence, or else Congress might end the investigation almost before it began.

Admiral Harold Gehman, a tall, willowy Navy veteran, agreed to chair the investigation when asked by NASA Administrator Sean O’Keefe on the morning of the accident, per provisions in the contingency plan for the Administrator to select a chairman.¹³⁸ A four star admiral who had ascended to the military’s sixth-ranked position, Gehman was no stranger to Washington politics.¹³⁹ He found NASA’s off-the-shelf contingency plan overly restrictive and immediately moved to ensure he would wield greater control over the investigation’s direction and staffing. His first assertion of authority, made on the day after the accident, was to change its name from the ungainly “International Space Station and Space Shuttle Mishap Interagency Investigation Board” to the “Columbia Accident Investigation Board,” or CAIB. He also took note of the investigation charter’s narrow language when it was faxed to him hours after the accident. After consulting with the other Board members, Gehman asked to have the word ‘root causes’—accident investigation vernacular for organizational factors that contributed to a technical failure—added to the investigation’s scope.¹⁴⁰

As Board members began to agitate against their narrow charter, members of Congress expressed additional concerns, widely given voice to in media

¹³⁷ CAIB, tape recording, “Oral History of Investigation,” interview with Admiral Harold Gehman, Steven Schmidgt, David Lengyel, and David Sikora, conducted by Guy Bluford, Christopher Kirchhoff, Lester Reingold, and Dwayne Day, May 20, 2003.

¹³⁸ A former NATO Supreme Allied Commander, Gehman was phoned the morning of the accident by Deputy NASA Administrator Fred Gregory. O’Keefe had never met Gehman, and Gehman himself reported not knowing why he was selected. Gehman’s unimpeachable integrity and folksy charm was to spur the CAIB through seven months of grinding work. Investigation staff member Dwayne Day discusses the seminal role Gehman played in shaping the investigation’s culture and findings in “The Gehman Board,” January 31, 2005, *The Space Review: Essays and Commentary about the Final Frontier, an online journal of space policy*, <http://www.thespacereview.com/article/314/1> (Accessed November 13, 2005).

¹³⁹ The Admiral, as he came to be called by the staff, had no background in space operations, but he had co-chaired the inquiry of the *U.S.S. Cole* bombing in Yemen, a complex, politicized effort that stands out as one of the strongest pre-9/11 warnings of the danger posed by al-Qaeda. Gehman proved to be an aggressive investigator, sharply criticizing the Pentagon for ignoring a non-traditional threat. U.S. Department of Defense, “U.S.S. Cole Commission Final Report: Learning from the Attack on the U.S.S. Cole...Implications for Protecting Transiting U.S. Forces from Attack,” January 9, 2001.

¹⁴⁰ CAIB, tape recording, “Oral History of Investigation,” interview with Admiral Harold Gehman, Steven Schmidgt, David Lengyel, and David Sikora, conducted by Guy Bluford, Christopher Kirchhoff, Lester Reingold, and Dwayne Day, May 20, 2003.

commentary.¹⁴¹ First, they remarked that the shuttle program was in need of an overall review that extended beyond safety of flight issues. NASA was perennially experiencing cost overruns. Problems existed with its strategic management and, members of Congress suspected, a whole lot else. Key committee chairmen urged Gehman to ignore the narrowly-drawn NASA mandate and to instead undertake a broad review of the shuttle program that would address their questions.¹⁴²

Members of Congress also told Gehman that the Board needed to gain greater independence from NASA, and recommended specific steps Gehman could take to bolster the Board's credibility. "The words of the charter simply do not guarantee the [investigation's] independence and latitude," the chairman of the House Science Committee said. "The charter's words need to match everyone's intent now to avoid any problems later on."¹⁴³ These concerns moved Gehman and the other seven original Board members to write into their charter provisions that increased transparency in the Board's operations and introduced a more extensive set of checks and balances between the investigation and NASA.¹⁴⁴ The final charter, ratified by NASA Administrator Sean O'Keefe on February 18, 2003, waived requirements mandating the Board pursue its investigation in accordance with standard NASA mishap procedures and instead left its direction entirely to Gehman's discretion.¹⁴⁵

Admiral Gehman ultimately took more than a dozen steps to address concerns raised by Congress. The Board, at first an entity under NASA's authority, gained administrative control over its own budget and staff, developed the capacity to keep independent records and conduct physical tests separate from NASA, and removed NASA officials involved with the Columbia mission from any liaison duties.¹⁴⁶ The Board moved to independent office space outside the Johnson Space Center. Board members announced their right to voice dissent in minority opinions and rejected out

¹⁴¹ Congressional concerns about larger issues at NASA were voiced on the same day Columbia broke up. See Sheryl Gay Stolberg, "Loss of the Shuttle: Washington; Lawmakers to Take a Closer Look at the Space Program," *The New York Times*, February 2, 2003.

¹⁴² CAIB, tape recording, "Oral History of Investigation," interview with Admiral Harold Gehman, Steven Schmidgt, David Lengyel, and David Sikora, conducted by Guy Bluford, Christopher Kirchhoff, Lester Reingold, and Dwayne Day, May 20, 2003.

¹⁴³ House Subcommittee on Space and Aeronautics and Senate Committee on Commerce, Science and Transportation, *Space Shuttle Columbia*, 108th Congress, 1st Session, February 12, 2003 (Washington, D.C.: Government Printing Office, 2003), 3, 65-66.

¹⁴⁴ Erik Pianin, "NASA Panel Charter Rewritten Twice, Fails to Satisfy Gehman," *The Washington Post*, February 13, 2003.

¹⁴⁵ Drafts of all three charters can be found in the CAIB Report, Appendix G3, Volume V.

¹⁴⁶ CAIB, press releases, "Diverse Team of Experts Supports Independent Shuttle Accident Probe," February 24, 2003 and "Correspondence Between CAIB Chairman & NASA Administrator," March 1, 2003.

of hand the demand by NASA Administrator Sean O’Keefe that only a portion of the investigation report be made public. Not only would the full report see the light of day, Admiral Gehman declared, but the Board would release it simultaneously to the White House, NASA, and the public. Gehman also resolved to hold a series of public hearings and press briefings, bringing the investigation’s transparency to the public in line with the presidential commission that investigated the *Challenger* accident.

In breaking free from the procedural constraints imposed by NASA, the investigation illustrates how it was able to draw agency from emerging congressional concerns and how adherence to norms of impartial procedure buttressed its legitimacy. Administrative independence alone, however, was a necessary but not sufficient condition for the Board’s broad public acceptance. Gehman also took the step of adding additional Board members who would bring substantive expertise in areas where the Board was deficient. His first appointment was Roger Tetrault, former head of Electric Boat, a major Navy contractor; his second, Sheila Widnall, Chairwomen of the Massachusetts Institute of Technology’s Department of Aeronautics and Astronautics.¹⁴⁷ Eventually, former Astronaut Sally Ride, Nobel Laureate physicist Douglas Osheroff, and space policy expert John Logsdon joined the Board.¹⁴⁸ By drawing new members from outside government, Gehman further underwrote the Board’s credibility among those who questioned the wisdom of drawing exclusively upon government employees.

Demonstrating one way in which commissions can bolster their credibility, the Board methodically selected its new members. Meetings were held to identify the types of expertise the Board most needed, and resumes of potential candidates were then evaluated in relation to the “credibility gap” they would fill.¹⁴⁹ Ride was a major public figure, member of the Rogers Commission that investigated the *Challenger* accident, and the Board’s only astronaut. Osheroff enhanced the investigation’s scientific credibility, and ended up filling the scientist-iconoclast role Richard Feynman played on the Rogers Commission. Logsdon, a political scientist and head of George Washington University’s Space Policy Institute, balanced the technical and

¹⁴⁷ CAIB Press release, “Columbia Accident Investigation Board Chairman Names New Member,” February 15, 2003.

¹⁴⁸ CAIB press release, “Columbia Accident Investigation Board Chairman Names New Members,” March 5, 2003.

¹⁴⁹ CAIB, tape recording, “Oral History of Investigation,” interview with Admiral Harold Gehman, Steven Schmidgt, David Lengyel, and David Sikora, conducted by Guy Bluford, Christopher Kirchhoff, Lester Reingold, and Dwayne Day, May 20, 2003.

managerial backgrounds of other Board members with a policy analyst's knowledge of the space program.

As the Board selected new members and established control over its staffing and budget, it waged a separate campaign to influence key constituencies in the media and Congress—a hallmark of successful commissions. On February 18th the Board announced the opening of a governmental relations office in Washington, D.C to ensure smooth relations with congressional and Executive branch officials.¹⁵⁰ In an explicit effort to build a supportive coalition around the investigation, Gehman began educating his staff on the importance of cultivating trust among constituents who would be vital to the Board's success. "Remember," Gehman would repeat in morning staff meetings, "Congress and the media are our friends."¹⁵¹ Once the Board's work was done, Gehman said, they would be the ones who remain to pressure NASA to see through Board recommendations.

The initial controversies surrounding the investigation demonstrate how the Board's ability to conduct an impartial investigation was not presumed by the public or Congress. Rather, the Board's credibility had to be constructed by shaping its investigative structures and practices to match time honored principles of American government. In a recurring theme in disaster investigations, its credibility was constructed *in situ*. The process of responding to demands for its independence and impartiality allowed the Board to break free of control by NASA and ultimately establish a more robust investigation than would have been possible under the original contingency plan. These demands became a source of agency the Board moved to exploit, transforming a minimalist technical investigation into a far broader review of NASA and U.S. space policy.

2.3 From Physical to Social Cause

Tracing the Board's remarkable growth in analytic capacity as it matured from the organization outlined in NASA's contingency plan into the largest accident investigation in history requires a familiarity with the particulars of the accident and the expertise required to understand it. Space shuttles are astonishingly intricate

¹⁵⁰ CAIB press release, "Board Opens Washington Office, Names Assistant for Government Relations," February 18, 2003.

¹⁵¹ Personal observation, March 2003.

creations, 2.5 million working parts apiece, each one necessarily designed with only the narrowest margin of safety.¹⁵² Ninety percent fuel by weight, the shuttle is in essence a large controlled explosion that hurls humans into space. Blown upwards by a duo of solid rocket boosters and three main engines, the shuttle accelerates from zero to 18,000 miles an hour in eight minutes flat.

During its flight a thin armor of silicone tiles on its underside and reinforced carbon-carbon (RCC) panels on its wings shield the orbiter from the acoustic stress of launch and blistering heat of re-entry. So effective at insulating the aluminum skin underneath, they can be held by hand as a blowtorch is applied. Yet these tiles and the adjoining RCC panels that line the wing's leading edge, like many other shuttle components, are so fragile that the touch of a fingernail leaves its mark. For this reason some investigators took to comparing the shuttle to a flying Ming vase, with room enough inside for a school bus and crew of seven.¹⁵³

To grapple with this astonishing flying machine, the Board soon grew into an enormous enterprise, showcasing the enormous resources made available to its investigation. The chairman and twelve members directed an immediate staff of 140. Over 400 NASA engineers drawn from across NASA centers were assigned in support, while 4,000 debris searchers, mostly off-season U.S. Forest Service wildfire fighters, scoured the Texas and Louisiana ground. Two hundred government agencies assisted the investigation in some way, as did private consultants and several federally funded research institutes. All of this was created from scratch, loosely based on never-before tested contingency plans that did not foresee recovering debris over an area the size of the state of Connecticut.¹⁵⁴ These resources would give the Board power in its confrontation with NASA, illustrating the importance of large staffs as a determinant of commission success.

Resources alone, however, were no guarantee of success. As seasoned accident investigators gathered in Houston, what was left of the *Columbia* lay scattered across two states. No direct radar images of its re-entry existed, and only a few photographs and videos taken by amateur observers had surfaced. Though mission control captured telemetry from shuttle sensors, critical gaps in data existed,

¹⁵² See "An Introduction to the Space Shuttle," *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 14-15.

¹⁵³ Lt. Col. Patrick Goodman, Group III investigator, personal communication, March 2003.

¹⁵⁴ See Appendix A.2, "Board Charter and Organization," *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1.

particularly toward the end. Further, unlike commercial airplanes, the shuttle had no black box that would preserve a record of flight in the event of a crash. The most comprehensive set of flight data, routed to onboard recorders, was presumed lost with the crew module. Some investigators doubted a definitive cause would be found.¹⁵⁵

From the beginning, speculation swirled around a piece of foam that smashed into *Columbia*'s left wing 81.9 seconds after launch.¹⁵⁶ The briefcase-sized 1.67 pound chunk of insulating foam tore away from the external tank's "bipod ramp" while the shuttle was ascending through 65,000 feet, and collided with the left wing a fraction of a second later.¹⁵⁷ The impact was equivalent to throwing a basketball crosscourt at 500 miles per hour.¹⁵⁸ Surveillance cameras stationed south of the launch pad captured grainy images of the foam coming detached, cart-wheeling through the air, and then shattering into a fine mist that enveloped both sides of the wing. A brain trust of imagery experts from the intelligence community later spent weeks enhancing the camera data to the point where Board members audibly gasped the first time it was played onscreen at a noon investigation meeting.¹⁵⁹ NASA engineers did not have the benefit of so crisp a video clip at the time. Nevertheless, their estimates of the size and speed of the debris proved accurate. How much damage had been caused to the shuttle's wing and underside and whether this imperiled *Columbia*'s safe return became a matter of debate inside NASA.¹⁶⁰

Though the foam strike certainly caught the attention of investigators, the video of its impact, no matter how dramatic, was not sufficient to establish the accident's cause. Corroborating lines of evidence had to be found from debris and sensor data, and other possible causes ruled out. Given that most of the shuttle was

¹⁵⁵ Indeed, investigators and Gehman cautioned as late as May, 2003 that the Board was prepared to release a report that did not identify a definitive cause. See Matthew Wald, "Investigatory Board's Assignment: Balancing Analysis and Reassurance," *The New York Times*, May 7, 2003.

¹⁵⁶ The foam strike emerged as a possible cause the day after the shuttle broke up. See James Glanz, "Loss of the Shuttle: The Problems; Independent Authorities Ask Whether NASA Erred in Ruling Loose Foam was Benign," *The New York Times*, February 3, 2003 and John Broader, "Loss of the Shuttle: The Overview; Debris at Liftoff a Leading Suspect in the Shuttle Loss," *The New York Times*, February 4, 2003.

¹⁵⁷ The precise accident sequence is chronicled in Chapter 2, *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1.

¹⁵⁸ This "back of an envelope" calculation became widely repeated in the investigation, and many of its members used it to describe the foam strike in the press. See, for example, Marsha Walton, "Foam wedges into wing in shuttle test," *CNN*, June 5, 2003.

¹⁵⁹ Personal observation from noon CAIB investigation meeting.

¹⁶⁰ The chain of events inside NASA from foam strike to shuttle breakup is detailed in Chapter 2 and 3, *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1.

thought to have vaporized in the seconds after break-up, investigators had braced for the worst, expecting almost no useable debris to be recovered. A breakthrough in the physical investigation would be necessary before broader questions about NASA could be explored.

Investigators were elated when fragments of the left wing eventually materialized. What began as a trickle of pieces and parts soon grew into an evidentiary goldmine. Search teams eventually recovered an astonishing 39 percent by weight of the shuttle's remains.¹⁶¹ By far the search team's biggest find was the MADS recorder, a VCR-like device that stored critical sensor data not down-linked to mission control.¹⁶² The MADS recorder included temperature and pressure readings from the leading edge of the left wing.¹⁶³ When combined with existing sensor readings recovered from mission control, data from the MADS recorder lent weighty evidence to the foam strike hypothesis.

After weeks of analysis engineers assembled a workable timeline showing how sensors malfunctioned in a telltale order that progressed during re-entry from the exact spot struck by the foam through the rest of the left wing cavity. This could mean only one thing: a breach in the wing existed at the time *Columbia* began its return to earth. The breach allowed superheated atmospheric gas to enter the left wing, melting the shuttle apart from the inside out.

By late spring the technical story became clear, prompting the Board to issue a "working scenario" of the accident's cause.¹⁶⁴ Falling foam pierced the left wing during launch. Because Mission Control did not appreciate the severity of damage at the time, a repair or rescue was not attempted. *Columbia*'s astronauts unknowingly sealed their fate the moment they initiated the re-entry burn. Their now irreversible decent into the atmosphere led *Columbia* into the thick of a molecular soup that began removing all the energy the shuttle's rockets imparted during launch. As the crew

¹⁶¹ Debris search and recovery process are detailed in Chapter 2 of the investigation report. See *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 44-47.

¹⁶² Space shuttles are ornamented with thousands of sensors, wedged in nooks all around the orbiter, that chronicle flight performance for immediate use by onboard computers and later analysis by engineers on the ground.

¹⁶³ CAIB press release, "Columbia Data Recorder Recovered," March 20, 2003. Only the *Columbia* was outfitted with this type of recorder, a result of it being the original orbiter on which engineers wished to gather flight data. Had the accident occurred with one of the other orbiters, the investigation would have had to perform its analysis from telemetry and debris alone.

¹⁶⁴ CAIB press release, "Columbia Accident Investigation Board Releases Working Scenario," May 6, 2003.

inside was awed by the luminous display around them, hot gases shot into the breached wing, snaking a path that can be precisely mapped by cascading sensor failures and the forensic analysis of debris.¹⁶⁵ It took just minutes for the left wing to melt from the inside out.¹⁶⁶

Debating Organizational Cause

Honing in on the accident's technical cause took hundreds of engineers months to achieve. Yet it only deepened the mystery of why *Columbia* fell from the sky. Investigators in Houston were left wondering why shuttle managers decided that no threat to flight safety existed in the face of so violent a foam strike. Given the fragile thermal protection system and video of foam hitting the wing, how could NASA engineers not have sounded the alarm? A second question immediately arose. A small army of safety officials are responsible for stopping launches before danger occurs. Did this layer of institutional guardian angels fail to exercise their duties properly? Could safety engineers have reasonably foreseen shedding debris causing an accident, or was the detachment of the bipod ramp the technical equivalent of a lightning bolt flung by the gods, with no warning and without hope of escape?

What causes an accident, and how far causes should be traced back through organizational processes and in history, is a matter of debate within accident investigation circles and one of the most debated issues in disaster investigations.¹⁶⁷ As will become clear, how commissions conceive of causation in the institutions of the national security state is one of the most important determinants of their success.

Experts note that causation is too often conceived of in terms of mechanical failure and operator error alone. In standard accounts, a widget fails, and those standing closest—the line operator or supervisor, occasionally a low-level manager—

¹⁶⁵ A video from the crew cabin taken by Laurel Clark is one of the most astonishing finds from the debris. The video is taken by the crew as they begin to enter the period of peak heating, just minutes before the shuttle broke apart. See "Columbia crew's last minutes shown in video," *BBC*, March 1, 2003.

¹⁶⁶ *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 71-73.

¹⁶⁷ See James Reason, *Managing the Risks of Organizational Accidents* (Hants, England: Ashgate Publishing, 1997), Scott Sagan, *The Limits of Safety: Organizations, Accidents, and Nuclear Weapons*, (Princeton: Princeton University Press, 1993), Scott Snook, *Friendly Fire: The Accidental Shootdown of U.S. Black Hawks over Northern Iraq* (Princeton: Princeton University Press, 2000), and Sheila Jasanoff, *Learning from Disaster: Risk Management after Bhopal* (Philadelphia: University of Pennsylvania Press, 1994)

are saddled with blame for failing to act in time. When failure is viewed in such narrow terms, the solution is typically limited to fixing the local malfunction and firing the operator who “erred.” Such a model of causation averts the investigator’s gaze from other factors, including the culpability of higher officials, that created the situation in the first place.

Over the past two decades accident investigations have become more attentive to the subtle dynamics that shape how people think and act on the job. Advances in the study of organizational design and psychology of error have improved the understanding of complex technical systems.¹⁶⁸ Especially relevant to NASA, sociologists have examined how politics and budget shape the behavior of managers and line workers inside large institutions that operate risky technologies.¹⁶⁹ Identifying broader political and organizational factors that may have contributed to the *Columbia* accident would mark a departure from traditional accident investigations, which tend to focus their examination primarily at the technical level. At stake in the Board’s movement beyond physical cause was the possibility that it would identify not only a mechanical failure, but also indict NASA itself, an institution bound up with national pride.

The Columbia investigation now confronted a question that all disaster investigations face. Debates within the Board about how far the investigation should peer beyond technical matters took shape early. The engineers who composed the largest professional group in the Board’s employ brought an especially strong devotion to technical factors that was predictably opposed by the investigation’s policy analysts and accident investigators, who were trained to examine human and organizational factors. Board members themselves held different views. Sally Ride and Sheila Widnall were especially conscious of the powerful effects organizations exert on individual behavior. Ride, who also served on the Rogers Commission, came to suspect that the problems plaguing NASA’s safety system were structural in nature and dated from the *Challenger* accident and before.¹⁷⁰

Admiral Gehman’s early conversion to the view that “complex systems fail in complex ways,” as he often repeated, was among the most powerful factors driving

¹⁶⁸ See James Reason, *Managing the Risks of Organizational Accidents*, (Hants, England: Ashgate Publishing, 1997).

¹⁶⁹ See Diane Vaughan, *Challenger Launch Decision: Risky Technology, Culture, and Deviance at NASA* (Chicago: University of Chicago Press, 1996).

¹⁷⁰ Personal observation from board investigation meetings, April-June, 2003.

the Board's adoption of a wider understanding of cause.¹⁷¹ The potential breadth of the investigation became clear during morning brainstorming sessions held in his office in March and April. By working backward from a template of questions Gehman knew had to be answered, these sessions, ostensibly held to draft the report outline, soon turned into a forum for plotting the investigation's ongoing shape.¹⁷² As the sociologist Diane Vaughan discusses in an article in the *American Journal of Sociology*, it was through this iterative process that the Board's novel framing of social cause, and its subsequent elevation of the human, organizational, and policy antecedents to disaster, first matured.¹⁷³

As the investigation turned to why individuals in NASA behaved almost casually in the face of what Board investigators viewed as a threat to flight safety, the Board hired more personnel with social science training. That the Board was free to follow its intuitions and add expertise as needed, unlike other disaster investigations that lacked the budgetary independence to do so, is a development with larger implications for what makes commissions effective. The newly formed group of historians, sociologists, and risk analysts who joined the staff soon began to influence how the Board viewed the accident. The battle over expanding cause unfolded over weeks, in a series of debates that took place not only in noon investigative meetings, but also in the hallway and over dinner.¹⁷⁴ The Board's embracement of a wider sociological framing was thus the result of sustained negotiations between professional groups who held differing views of how far the Board should venture beyond a strict examination of physical cause.

Still another element of the Board's composition drove this new framing. Many of the investigators brought an outsider's vision to the practice of human spaceflight. Most of Board staff had never before worked for NASA. Lacking a socialization to the agency's routines and beliefs that its employees take for granted,

¹⁷¹ William Langewiesche, "Columbia's Last Flight," *The Atlantic Monthly*, November, 2003.

¹⁷² Personal notes, Columbia accident investigation, March-May 2003.

¹⁷³ Diane Vaughan, "NASA Revisited: Theory, Analogy, and Public Sociology," *American Journal of Sociology*, Vol. 112, No. 2, September 2006, 353-93.

¹⁷⁴ The Board's meeting minutes contains a full record of this debate as it unfolded. News media accounts also chronicle it. See, for example, Matthew Wald, "Panel Examines Whether NASA Was Out of Touch with Shuttle Fleet Safety Problems," *The New York Times*, March 26, 2003, Jonathan Schwartz and Matthew Wald, "Failings at NASA Extend Well Beyond Foam Hitting Columbia, Panel Reports," *The New York Times*, June 7, 2003. By mid-July, Gehman is quoted as saying, "We have what we're now calling either the physical or mechanical failure, and then we have the systemic failures. And we're now putting them at equal weight." See Matthew Wald and John Schwartz, "NASA Management Failings Are Linked to Shuttle Demise," *The New York Times*, July 12, 2003.

many members of the Board's staff harbored a natural suspicion of the protocols NASA developed to run the shuttle program as well as the supposed benefits of space flight used to rationalize the risk calculus it employed. As one of the investigators later put it, most of the Board staff were not space buffs, and as such, "were not drinking NASA's kool-aid"—a reference to the American religious cult in Jonestown, Guyana that committed mass suicide by lacing the popular drink with cyanide.¹⁷⁵

Investigators found NASA's tendency to institutionally deny the risks of human spaceflight to be one of its defining features. It was frequently left to Board member John Logsdon, director of George Washington's Space Policy Institute, and NASA Ames Director Scott Hubbard—the two Board "insiders"—to "make the case for space" or communicate the reasons behind particular NASA arrangements.¹⁷⁶ The investigation's culture, then, was marked by an organized skepticism to NASA's mission and way of doing business that led investigators to frame issues in different ways than NASA's own employees would or even could. It is this "outsider" vision, and the healthy, "generative" tension it enabled when joined with the perspective of insiders within the Board, that is characteristic to the ability of commissions to see and know in clearer ways than the agencies they investigate..

Echoes of *Challenger*

As in other disaster investigations, the relevance of history to understanding organizational behaviors soon became apparent. Making this connection, however, would require the enrollment of outside expertise. Investigators were mindful that the *Challenger* accident occurred when engineers wrongly extrapolated the performance envelope of a single component, the solid rocket booster joint O-ring. The joint failed when hot gases blew-by the rubber gaskets that fill the gap between booster segments. Blow-by should never have occurred. A redundant O-ring existed in case the first failed. Yet O-rings from several prior shuttle flights came back singed by hot gases, a finding that engineers investigated for its potentially catastrophic implications. Rather than interpret this deviation from design as a signal that catastrophe was imminent, analysis led engineers to view this anomaly as a tolerable, if not desired,

¹⁷⁵ Dr. Dwayne Day, Group IV investigator, made the "kool-aid" observation in a personal communication, November 2005.

¹⁷⁶ Personal observations from noon investigation meetings, March-August, 2003

aspect of joint behavior. In NASA parlance, the O-ring anomaly became classified as an “accept risk,” one of hundreds on the shuttle. Even as work began on a design fix, this deviation became integrated into the database of performance expectations, or flight rules, that govern the shuttle’s readiness to launch. To top managers situated far away from line engineers, the observed phenomenon of blow-by was not a warning sign that something was amiss, but rather confirmation that the joint was performing within expected limits.¹⁷⁷

In the aftermath of the *Challenger* accident, sociologist Diane Vaughan set out to explore why NASA had seemingly played Russian roulette with the shuttle by launching it with a known technical flaw. Vaughan’s analysis, *The Challenger Launch Decision: Risky Technology, Culture and Deviance at NASA* is celebrated as the most comprehensive account of a technical disaster ever penned.¹⁷⁸ During the Columbia investigation, Vaughan’s book ended up serving as a Rosetta stone, allowing investigators to connect their observations of the behavior of NASA officials with a theory of decision-making grounded in empirical sociology.

What Vaughan noticed is that NASA built the shuttle to function like a business, with rigid cost and schedule expectations, which is unlike how it had approached the experimentally focused Apollo program. The shuttle’s experimental technology, however, did not so neatly conform to congressional wishes for a smoothly running space airline. NASA managers, imprisoned by their agency’s image of the shuttle as an operational “space plane,” were under constant pressure to perform on schedule and under-budget, even when the shuttle’s unruly technology presented novel problems at every turn.

In such an atmosphere, unhealthy competition arose between launching the shuttle on time and launching the shuttle with all known technical problems fixed. Safety came to compete with cost and schedule demands, and safety increasingly lost out. Having internalized the economic and political imperatives placed on NASA by Congress and the White House, shuttle managers unconsciously allowed accepted definitions of risk to balloon, choosing to launch shuttles before fully investigating anomalies in component performance. Vaughan described this gradual but continual

¹⁷⁷ The following discussion of the *Challenger* accident and its causes is drawn from Diane Vaughan, *Challenger Launch Decision: Risky Technology, Culture, and Deviance at NASA* (Chicago: University of Chicago Press, 1996).

¹⁷⁸ Upon publication in 1996 it became an instant classic in the social sciences and is now taught as a case study in nearly every business school in the country.

expansion of safety margins as the ‘normalization of deviance.’¹⁷⁹ The result of this technical corner-cutting on January 28, 1986 was NASA’s first fatal space launch.

Vaughan’s conclusions moved significantly beyond the account given by the Rogers Commission of how political and economic imperatives acted upon NASA. By viewing the flawed decision to launch primarily as the result of errors in the process NASA used to certify the shuttle for flight, the Rogers Commission concluded that bad individual decisions and an imperfect structure for safety oversight were to blame. Such a framing failed to take account the agency’s political environment and the ideological mindset its officials worked within. This reductionist explanation for why the technical fault occurred led the Rogers Commission to focus its recommendations primarily on technical and organizational factors close in to the machine.

Vaughan’s revisionist account of the *Challenger* accident proved to be essential for understanding what happened to *Columbia*. In what Board member Sally Ride evocatively called “echoes of *Challenger*,” similarities between the two accidents became pronounced as the CAIB investigation continued.¹⁸⁰ Investigators unearthed evidence that falling foam, like O-ring charring, was not an exceptional phenomena but rather an accepted part of routine shuttle operations. In a pattern that mimicked how the shuttle program’s safety oversight office treated O-rings, falling foam was initially viewed with grave concern. After *Columbia*’s first flight in 1981 engineers openly speculated that debris shedding would permanently ground the shuttle. Soon, however, program managers came to be comfortable with the amount of damage caused by debris. Though the shuttle would sustain hundreds of debris strikes every mission, most were small and those that were not were written off as anomalies that were unlikely to recur.¹⁸¹

Decisions taken one at a time led to what Vaughan termed an “incremental descent into bad judgment,” the end result of which was that an organization known for its engineering cool came to hold as an article of faith that falling foam did not pose a danger to the shuttle’s flight. Engineers certified the next mission as ready for launch even when a massive chunk of foam came flying off the shuttle shortly before

¹⁷⁹ See especially chapter 3 of *Challenger Launch Decision*.

¹⁸⁰ John Schwartz and Matthew Wald, “Echoes of Challenger: Shuttle Panel Considers Longstanding Flaws in NASA’s System,” *The New York Times*, April 13, 2003.

¹⁸¹ A chronology of how failing foam was dispositioned by NASA engineers over the history of the shuttle program is established in Chapter 6, *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 121-31.

Columbia's last mission and struck the solid rocket booster attachment ring within inches of a vital communications relay box. They did not mandate a fix to the problem before placing the next crew of astronauts at risk.¹⁸²

As the Board's investigation focused in on NASA decision-making about foam debris, Vaughan's book became a fixture on investigators' desks. A more accessible encapsulation of Vaughan's thesis published in the *California Journal of Management* was circulated even more widely, as busy investigators were not accustomed to digesting long academic manuscripts.¹⁸³ In time, Vaughan was invited to testify in front of the Board and even join as a consulting investigator.¹⁸⁴ Her theory of the normalization of deviance resonated with investigators because it provided a language in which to articulate phenomena they were beginning to see in the data.

More than crisp phrasing, Vaughan's language was linked to a theoretically rigorous sociological framework accepted by academic experts and risk managers as the prevailing explanation for NASA's other fatal shuttle accident. By providing both scholarly legitimacy and a vocabulary in which to speak of NASA's pathologies, Vaughan enabled investigators trained in human factors to take yet another step down the road of social causation, linking seemingly inexplicable and safety-averse behaviors they observed among managers and engineers to budgetary and political pressures placed on NASA. The insights of an external academic provided a breakthrough to the staff of a disaster investigation.¹⁸⁵

As a parade of visiting experts echoed Vaughan's message to examine the social and organizational context of risk management, investigators grew comfortable

¹⁸² The striking example how of near catastrophe was treated in STS-112 by the STS-113 flight readiness review is discussed in Chapter 6, *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 123-26

¹⁸³ Diane Vaughan, "The Trickle-Down Effect: Policy Decisions, Risky Work, and the Challenger Tragedy," *California Management Review*, Vol. 39, No. 2 (Winter, 1997), 80-102.

¹⁸⁴ Vaughan has written several scholarly accounts of her time on the investigation. See Diane Vaughan, "NASA Revisited: Ethnography, Theory and Public Sociology," *Journal of Ethnography*, (in review), Diane Vaughan, "On the Relevance of Ethnography for the Production of Public Sociology and Policy," *British Journal of Sociology*, Vol. 56, Issue 3, 411-416, Diane Vaughan et. al, and "Public Sociologies: A Symposium from Boston College," *Social Problems* Vol. 51, No. 1, 103-130.

¹⁸⁵ The Cambridge political scientist Glen Rangwala calls attention to the Board's drawing an implicit historical analogy via Vaughan's theory, asking the question of what gets missed when a framework for analysis is imported wholesale from another disaster. My own reading of the eventual embrace of Vaughan's insights are that they was not done uncritically, and that her greatest contribution was supplying a language to more rigorously articulate conclusions that had already been formed. Rangwala, personal communication during Ph.D. examination, June 27, 2010.

with elevating social cause to a co-equal position with physical cause.¹⁸⁶ The Board eventually elected to include an “organizational cause” statement alongside the obligatory “physical cause” statement that is part of every accident report.¹⁸⁷ Vaughan’s integration into the investigation was so complete that by mid-summer, Admiral Gehman asked her to draft a concluding chapter articulating how both the *Challenger* and *Columbia* accident stem from the same set of unfixed organizational causes. Vaughan titled it “History as Cause.”¹⁸⁸ In so doing, the Columbia report moved beyond the analysis laid down by the Rogers Commission, which did not trace the causal chain so deeply into NASA’s economic and political environment. By separately identifying accident causes at three levels—ideology, organization, and technology—the Columbia Board displayed a sophistication common to other disaster investigations that succeed in addressing the inherent complexity of the national security state.

2.4 A Reflexive Approach to Reform

As the Board explored NASA’s safety oversight organization, so, too, did Board members and staff come to reckon with the recommendations of previous expert reviews and their attempts—most often unsuccessful—to foster organizational change inside the shuttle program. This reflexivity about the limitations of disaster investigations would prove tremendously important to the success of some of its recommendations.

The Board’s first significant foray into the history of risk management at NASA came at a public hearing held in early March 2003. The hearing addressed the findings of the Shuttle Independent Assessment Team, a high-level review of shuttle operations undertaken after a serious in-flight malfunction on the *Columbia* in 1999.¹⁸⁹ Testimony by study chair Henry McDonald made the Board aware that serious concerns existed about post-*Challenger* safety practices long before the

¹⁸⁶ See CAIB Press Release, “CAIB Holds Safety Seminar,” April 21, 2003.

¹⁸⁷ *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 9.

¹⁸⁸ Chapter 8, *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1.

¹⁸⁹ See CAIB March 5, 2003 Public Hearing, *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 6, Appendix H, and Shuttle Independent Assessment Team Report to the Associate Administrator, March 7, 2000.

Columbia accident. The Board soon thereafter assigned staff to undertake a systematic review of the recent history of the shuttle program, paying particular attention to the evolution of the safety oversight organization and to the findings of past expert reviews. NASA, never a stranger to external review, had submitted the shuttle program to no less than 50 examinations of various kinds from the Rogers Commission forward, five of which produced lengthy reports.¹⁹⁰ The Board came to view the story that emerged as one of institutional recidivism.

The review compiled by investigators detailed a history of non-compliance with safety recommendations from the Rogers Commission onward.¹⁹¹ As shuttle flights resumed without incident after the *Challenger* accident, the initial enthusiasm for adopting safety reforms proposed by the Rogers Commission soon waned. The program's newly centralized safety office was never actually vested with the called-for authority and budget. A robust, independent and centrally integrated safety system never developed, nor did the capacity within it to conduct trend analysis on low frequency hazards. No less than five post-*Challenger* reports by external committees called attention to this lack of an independent safety function.¹⁹²

The institutional foundation for safety at NASA took a turn for the worse at the end of the Cold War, when the absence of superpower competition in space lessened Congress's appetite for funding NASA. The Board's analysis of NASA budgets revealed that the initial post-*Challenger* injection of funds given by Congress was pared back at the Cold War's end, leading to financial shortfalls despite expensive new missions, including the international space station. To make up the shortfall, NASA management responded by cannibalizing the very safety system it was mandated to strengthen in *Challenger*'s wake.¹⁹³ The institutional flow charts that neatly demarcated a reformed safety organization began to increasingly diverge from on-the-ground reality, so much so that by 2003 Admiral Gehman borrowed from

¹⁹⁰ Chapter 5 of the CAIB report details the relevance of these reports. See page *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 103, 112-133, and Appendix D.18.

¹⁹¹ One of the first installments of Group IV's analysis occurred in late May. See CAIB, presentation to the Board, "Group 4: Space Shuttle Program, Organization, Budget, Policy," May 21, 2003.

¹⁹² For a review of the impact of expert reviews and a history of safety oversight, see *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 178-80.

¹⁹³ *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 104-105.

Gertrude Stein to describe NASA's withered safety bureaucracy as having no "there, there."¹⁹⁴

On the basis of its review of failed reform inside NASA, the Board developed a social and ideological dimension to its critique of shuttle operations. A distinct element of NASA's troubled history, according to the Board's own historical research, is that external criticism seemed to have little effect on its insulated organizational culture, whose own self-image as a "perfect place," as one anthropologist theorized, served to resist alteration until tragedy struck.¹⁹⁵ The legacy of NASA's Apollo triumphs, together with its privileged place in the national psyche, produced a workforce particularly unable to recognize and correct deficits in its operations, even when external actors singled them out. The shuttle program, then, illustrates how being part of the national security state and its myth-making practices can be detrimental to organizational reflexivity and produce inherent resistance to outsider critique.

The history of institutional reform at NASA thus served in the Board's eye as a cautionary tale. The shuttle program's slide backward after the *Challenger* accident ultimately reproduced earlier organizational flaws, setting the scene for a virtual repeat of disaster. Failing to display institutional reflexivity about safety practices, shuttle managers remained mostly unaware of their own organizational deficits. As a result, the Board noted that "by the eve of the *Columbia* accident, institutional practices that were in effect at the time of the *Challenger* accident—such as inadequate concern over deviations from expected performance, a silent safety program, and schedule pressure—had returned to NASA."¹⁹⁶ Seven more lives and NASA's second shuttle were lost in a burning inferno, sacrificed, in the Board's assessment, on the altar of failed reform.

Board Counter-Strategies

¹⁹⁴ "We find the safety organization on paper is perfect," Adm. Harold W. Gehman Jr., told the Senate Commerce Committee, "But when you bore down, there is no there there." See Matthew Wald, "Shuttle Investigator Chides NASA on Safety," *The New York Times*, May 15, 2003.

¹⁹⁵ *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 99.

¹⁹⁶ *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 101.

NASA's betrayal of the Rogers Commission recommendations and apparent disregard for subsequent expert assessments, almost all of which called for NASA to reconstitute a robust system of safety oversight, was viewed inside the investigation as an indication that proposed reforms would not be easily achieved. Rather than imagining that its recommendations would instantaneously transform the shuttle program's policies and procedures, the Board anticipated internal resistance at each step, especially after the shuttle had resumed flying safely and the Board had disbanded. In confronting this dynamic, Admiral Gehman and other Board members were determined that their investigation would be different from those that came before. Gehman wanted to try and "outsmart" NASA by thinking through how they could design their report and recommendations for maximum effect. He wanted the Board to be reflexive about its own ability to exert influence not only during the investigation, but also in the years to come.

Gehman pushed this notion of reflexivity in various ways. At one noon investigation meeting, he had the full board view a documentary he had seen on PBS about the Concorde investigation. The film chronicled how the Concorde accident report became the subject of controversy that continued for years afterward. In introducing the video, Gehman said he wanted the Board to see what happens when an investigation's report does not bring closure and itself becomes the subject of subsequent investigation.

In May the Board decided on three strategies to maximize its influence. The first was to issue preliminary recommendations. Rather than wait until the end of its investigation to make recommendations known, as is traditionally done, the Board elected to issue them as soon as consensus existed among Board members. This not only gave NASA a "head start" on changes it would need to make in any case, but also brought to bear public scrutiny while the Board's investigation was ongoing. The Board issued two preliminary recommendations on April 17, 2003, and two more on June 17 and July 1.¹⁹⁷ The second strategy was to differentiate between those recommendations the Board saw as essential to complete before the shuttle's return to flight and those that should be implemented over the medium and long term. By

¹⁹⁷ CAIB Press releases, "Columbia Accident Investigation Board Issues Preliminary Recommendations to Improve Inspection and Testing of RCC Components, Shuttle Imaging on Orbit," April 17, 2003, "Columbia Accident Investigation Board Issues Preliminary Recommendation Three: On-Orbit/On-Station TPS Inspection and Repair Capability," June 17, 2003, and "Columbia Accident Investigation Board Issues Preliminary Recommendation Four: Launch and Ascent Imaging," July 1, 2003.

ordering its recommendations by the timescale of implementation, the Board attempted to ensure that NASA could not indefinitely drag its feet, as had seemingly happened in other instances.

The third strategy concerned its final report. Having led investigation into the *U.S.S. Cole* bombing, Gehman appreciated the difficulty of assembling a report that would make a persuasive case to the audience of decision-makers most likely to address the accident's underlying causes.¹⁹⁸ Organizing the investigation staff to craft the official report with clarity and force was an early decision Gehman took to maximize the Board's effect on NASA.¹⁹⁹ Now he pushed the Board to carefully consider to whom it was writing. After much coaxing, the Board decided that its intended audience was not the professional accident investigation community to which many of its members and staff were disposed to write, but rather Congress. As such, the Board vowed to produce a readable report written with a minimum of technical terminology. The 24,500 acronyms in NASA's human spaceflight dictionary were banished from the report. Only one was regularly used: NASA.²⁰⁰

The Board's strategizing about how to maximize its influence also extended to ongoing investigation matters, including which parts of the evidence base it wanted investigation staff to assemble and which parts it would delegate to NASA engineers supporting the Board. In one particularly weighty matter, shuttle program managers continued to maintain after the accident that even if damage to the left wing had been discovered during *Columbia's* flight, nothing could have been done to save the orbiter or crew. The Board, however, suspected that NASA could have attempted a rescue mission. Rather than have the investigation determine whether an in-flight rescue or repair was feasible, the Board assigned the shuttle program to undertake its own study, thinking it would be best for the agency itself to come to the conclusion that options were available.²⁰¹ NASA ultimately agreed that a rescue would have been possible and should have been attempted.

Yet another controversial decision the Board took was whether to go through with a final foam debris impact test in which a piece of foam the size of the bipod

¹⁹⁸ For a record of Gehman's early thoughts on report structure, see Christopher Kirchhoff, notes, "Meeting with Admiral Gehman," March 3, 4, and 11, 2003.

¹⁹⁹ Lester Reingold and Christopher Kirchhoff, who worked as Lead Editor and Editor respectively, were hired three weeks into the investigation and began work in the beginning of March.

²⁰⁰ For an overview of editorial considerations faced by the Board, see Lester Reingold and Christopher Kirchhoff, "Final Report Structure and Format: A Decision Brief to the CAIB Board," March 19, 2003.

²⁰¹ Board decision at noon investigative meeting, May, 2003.

ramp would be shot at actual shuttle wing hardware, rather than a mock-up. In May, the Board had initiated a series of forensic test shots to verify that a piece of foam the size that struck *Columbia* could break an actual RCC wing panel.²⁰² Bizarrely, NASA at first proposed using the tests to shoot small pellets of foam in order to validate a debris model used by managers during the mission.²⁰³ It was as if the model, in NASA's eyes, was more relevant to validate than the physical experience of the accident's cause. The Board, however, was not interested in NASA's debris model, but rather wanted to replicate the *Columbia* foam strike as closely as possible.

NASA eventually acceded to the Board's insistence and initiated a series of tests using actual flight hardware.²⁰⁴ The final foam shot ended speculation by completely shattering an RCC panel that had flown approximately the same number of flight cycles as the one that was struck on *Columbia*.²⁰⁵ Video of the test was the lead story on the evening news, providing NASA as well as the nation with a striking visual demonstration of the Board's hypothesis for how the *Columbia* was lost. The foam shot functioned as the investigation's closing argument before the public, firmly establishing a model of how the accident happened in the minds of viewers. The effectiveness of this public demonstration of NASA's error has wider ramifications for the study of disaster and reform. It suggests that the credibility of disaster investigations is built on the basis of investigative output—that successful investigations not only establish facts but also must demonstrate them. The Board released its final report a month and a half later.

Board Recommendations

August 25, 2003 was an unusually beautiful evening in Washington, D.C. Just after dinner a small convoy of government vehicles departed from unmarked offices in Arlington, Virginia, en route to a government hanger at Washington-National airport. As the sun set, a small NASA jet taxied to a stop. On the tarmac, Admiral

²⁰² See CAIB press releases, "Shuttle Leading Edge Foam Impact Test Update," and "Foam Impact Test Breaks Reinforced Carbon-Carbon Panel," *The New York Times*, June 6, 2003.

²⁰³ William Langewiesche, "Columbia's Last Flight," *The Atlantic Monthly*, November, 2003.

²⁰⁴ Acrimony over the tests fueled public controversy. See, for example, John Schwartz and Matthew Wald, "Mock-Up Wing Is Torn by Foam In Shuttle Test," *The New York Times*, May 30, 2003, and John Schwartz, "NASA's Foam Test Offered a Vivid Lesson in Kinetics," *The New York Times*, June 5, 2007.

²⁰⁵ Matthew Wald and John Schwartz, "Tests Show Foam was Likely Cause of Shuttle's Loss," *The New York Times*, July 8, 2003.

Gehman and a handful of staff unloaded its cargo of investigation reports into idling vans destined for Congress, the White House, NASA, and members of the press.²⁰⁶

The report's release the next morning marked a critical juncture in the shuttle's return to flight. The responsibility to implement changes called for in the 248-page report fell now to NASA and to Congress. The swing of attention away from the Board would be almost total. In transmitting its final report, the Board relinquished the public stature it had commanded for seven months. Its power now lay in the words left behind for others to follow. In celebration of their accomplishment, Admiral Gehman uncorked champagne for a collective toast back at the Board offices. Glasses were raised all around to the shuttle's safe return to flight.

The Board's final report made twenty-nine separate recommendations meant to address the investigation's technical, organizational, and political findings. Twenty technical recommendations—by far the largest single group—concerned the shuttle's thermal protection system, imaging systems used to detect debris strikes, orbiter sensor data, risk methodologies for foreign object and orbital debris, and several specific components, including wiring and bolt catchers. The Board designated most of them to be implemented before the return to flight launch.

On the organizational front, the Board's most dramatic recommendation called for a separate technical authority inside the shuttle program to assume responsibility for safety verification. Delegating the safety function to an office independent of shuttle management was meant to ensure that a NASA manager responsible for schedule and budget pressures would no longer be forced to also adjudicate safety issues. Because a new division of authority would be required between the program office and safety organization, the Board anticipated NASA could not implement the recommendation by the return to flight launch. It did, however, require that NASA produce a plan showing how the transition would be achieved.²⁰⁷

The Board's most dramatic political recommendation was a directive to retire the shuttle as soon as possible and to devise a new mission for NASA in space.²⁰⁸ The RCC panel on the *Columbia* that shattered when struck by foam had been weakened by age. Like many of the shuttle's components, it had been designed to fly a particular number of mission cycles over a short period, rather than designed for

²⁰⁶ Personal account, August 2003.

²⁰⁷ See Recommendation 9.1-1.

²⁰⁸ *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1, 208-211.

chronological longevity. No one imagined when the shuttle was being designed in the mid-1970s that it would still be flying in the 21st century. With no firm conception of its retirement date, shuttle managers were unable to make informed decisions about age-related maintenance programs and safety upgrades, and had not developed a comprehensive effort to monitor chronological aging.

Alongside its call to retire the shuttle as soon as possible, the investigation prodded the Congress and White House to develop a new mission for human spaceflight. In the Board's judgment, U.S. space policy had been largely un-addressed—except in symbolic ways—by three successive administrations.²⁰⁹ The Board's goal in pushing the nation to develop new goals in space was to eliminate ambiguity over how long NASA intended to rely on the shuttle as its primary space vehicle. Its conclusion that the ambiguous policy architecture then in place threatened the safe functioning of the shuttle is an acknowledgement by the Board of how NASA's broader political and ideological environment impact line-engineering decisions. The Board, in short, viewed NASA as a complex system in which political, organizational, ideological, and technical dynamics all interact. The final report illustrated how far its members had moved beyond the Board's original mandate to determine only the accident's technical cause.

2.5 Columbia Investigation and the Politics of Disaster

The catastrophic loss of the orbiter *Columbia* was perhaps the most visible breakdown in the national security state in the four years between 9/11 and the Iraq occupation's descent into violence. The image of the shuttle's breakup, played repeatedly on television news, prompted an international outpouring of sympathy. Because the shuttle was not merely a scientific instrument but rather a symbol of national power, discovering the accident's cause and returning the shuttle to flight became a national imperative. The President immediately announced that the U.S.

²⁰⁹ It has become a truism that presidential aspirations in space do not always manifest themselves. Their implementation depends in part upon the political standing of the President and in part upon the coincidence of the development of space technology with other political and military interests, both of which vary over NASA's history. For an overview of Administration attempts to define NASA's mission, see Roger D. Launius and Howard E. McCurdy eds., *Spaceflight and the Myth of Presidential Leadership* (Campaign-Urbana: University of Illinois Press, 1997). See also Walter McDougall, *Heavens and the Earth: A Political History of the Space Age* (Baltimore: Johns Hopkins University Press, 1985, 1997).

mission in space would continue. It fell to a crisis commission to oversee the investigation and to propose recommendations for reform.

The experience of the Columbia investigation yields three general lessons about the politics of disaster and reform. The first is that commission independence is a precept for success, and that commissions have several sources of agency to achieve it. The Columbia investigation began its institutional life under NASA control. Its initial framing as a search for technical failure reflected the long-standing tendency to conceive of accidents primarily in terms of mechanical breakdowns. In the eyes of the Board itself and the Congress to which NASA ultimately answered, the off-the-shelf contingency plan provided too little independence and too many restrictions on what could be investigated. The ensuing public controversy about the Board's impartiality ultimately enabled it to break free from NASA control. Congress's desire for the investigation to produce an overall evaluation of the shuttle program as well as the need for it to conform to democratic norms became sources of agency the Board's chairman harnessed.

The second lesson is that the Board's organizational independence enabled its epistemic independence. The imperative to broaden its investigative focus led the newly independent Board to assemble powerful diagnostic tools. Within its staff, the Board established a capability to independently evaluate analysis and data provided by NASA as well as a stable of experts to help the Board understand the organizational and political causes of Columbia's loss. The investigation's policy analysis and engineering resources ultimately rivaled the resources NASA dedicated to its own internal investigation, ensuring that the Board would not be outmaneuvered by the agency on the technical or analytical front.

The Board quickly put these powerful diagnostic technologies to work, and it was this concentration of expertise that enabled the Board to critique NASA operations at multiple levels. Prior investigations had not blamed history. Yet as soon as the Board's investigation of physical cause unearthed puzzling behaviors by NASA managers, members of the Board with social science training came to interpret those behaviors in a sociological frame. Helped along by an academic sociologist, the entire Board came to see erroneous technical decisions as the product of flawed political, cultural, and institutional factors. Its outsider gaze viewed the space program as a complex system whose position as part of the national security state introduced powerful ideological and symbolic dynamics. The articulation of accident

cause that addressed each of these causal levels was unique in the history of official investigations.

The third lesson to draw concerns the need for commissions to be highly instrumental. The Board did not stop with its broader understanding of cause. It also wrestled with NASA's history of rejecting reforms recommended by outside groups and the agency's resistance to investigation findings and actions. In so doing, the Board probed the linkages between disaster and reform, becoming reflexive about how it could deploy resources to foster desired changes within NASA. Outreach to the media and political leaders, mounting a visible demonstration of the accident hypothesis, and staging its recommendations by time of implementation were among the strategies the Board employed to leverage its influence. Charting the Board's instrumentality in this way highlights key divergences from the linear model of reform that underpins the use of commissions. Simply issuing recommendations is not sufficient. For reform to occur in desired ways, commission must deploy their resources and the dynamics of their inquiry to overcome agency resistance.

Whether NASA would adopt the Board's recommendations, and succeed in safely operating the shuttle in the future, was now out of the Board's control.

Chapter 3

Return to Flight

Twenty-three months after the Columbia Board issued its final report, a subset of the investigation's staff gathered at the Kennedy Space Center's Banana Creek viewing site. Sitting together on bleachers three miles from pad 39B, the staff awaited NASA's return to flight launch along with First Lady Laura Bush. At 10:39 a.m. on July 26, 2005, the shuttle *Discovery* shot forth into clear blue sky, a thunderous boom signaling NASA's triumphant return to space. The elation was not to last.

As the investigation staff sipped celebratory margaritas on Coco Beach pier, engineers reviewing digital images of the shuttle's ascent made a startling discovery. Just after solid rocket booster separation, a large chunk of insulating foam tore loose from the external tank and cart-wheeled within inches of *Discovery*'s right wing. One foot by two feet in size, and nine-tenths of a pound in weight, the foam debris was strikingly similar to the piece that doomed *Columbia* more than two years before.

Analysis later determined that *Discovery* escaped certain catastrophe by seconds. Had the foam debris from the external tank's PAL ramp flaked off earlier in the ascent, higher atmospheric pressure would have transported it directly into the fragile reinforced carbon (RCC) panels that compose the wing's leading edge.²¹⁰ Only because *Discovery* had already climbed into ultra thin air did the foam debris tumble harmlessly away. In addition to the PAL ramp, several other potentially fatal pieces of debris flaked off the shuttle, including a chunk of foam near the left bipod ramp. The exact accident NASA and the Columbia Board labored to prevent nearly reoccurred. For the second time in three years NASA grounded the shuttle fleet indefinitely.²¹¹

In order to make sense of how disaster was virtually repeated, this chapter will examine technical and administrative decision-making in the shuttle program from the day the Columbia Board report was released until the shuttle *Discovery* was cleared for launch.

²¹⁰ For a technical discussion of the debris incidents on the ascent of STS-114, see NASA, "External Tank Tiger Team Report—Part I: Preliminary Status and Data Package," October 7, 2005.

²¹¹ "NASA Grounds Shuttle Fleet," *CNN*, July 28, 2005.

Because foam loss recurred, negating the goal of post-accident re-engineering, particular attention will be paid to External Tank project's effort to reduce foam debris. Understanding how the remedial measures ordered by the Columbia investigation ultimately failed to keep the shuttle safe requires analyzing how external political imperatives and NASA's own sense of mission shaped the internal adjudication of technical judgments. Tracing the relationship between investigation recommendations and decisions on what constituted sufficient margins of safety for foam loss will illustrate the dynamics driving the return to flight process, providing an empirical basis for theorizing how the agency failed to learn from disaster, despite the intervention of a disaster investigation.

3.1 NASA's Response to the Investigation

The return to flight process began long before the Columbia Board issued its report, with NASA's decisions about how to respond to the accident. For the first two weeks after *Columbia's* loss, shuttle program manager Ron Dittmore held daily press conferences at which he impressed observers with his forthright, even searching answers to media questions. The briefings struck a different tone than had happened after the *Challenger* accident seventeen years before.²¹² After the Columbia Board assumed responsibility for media briefings, corporate NASA faded from public view, remaining mostly silent in face of popular and official scrutiny.

Behind this apparent calm NASA's leadership formulated strategies for interacting with the investigation and the public. The Administrator and his deputies debated how the agency would prepare to return the shuttle to flight and rebuild public confidence in its operations. A key question was whether NASA would embrace the investigation as the arbiter of how it was to reform or reserve the right to reject its recommendations. NASA's response to the investigation thus took form quite early. Decisions made within NASA headquarters in the spring and summer of 2003 shaped how NASA was to conduct itself after the investigation's end.

One of NASA's first decisions was to begin a public relations effort. Although for the most part the agency maintained a face of contrition and refused to comment on emerging

²¹² Eric Malnic, "Hot Seat Makes a Good Fit for NASA's Shuttle Manager," *Los Angeles Times*, February 6, 2003.

investigation findings, on several occasions officials rose to defend NASA against mounting charges that its managers had acted irresponsibly before and during *Columbia*'s mission. Notably, as the Columbia investigation scrutinized mission control decisions, NASA released transcripts of key meetings in which the fatal foam strike was analyzed.²¹³ The NASA public affairs office then arranged for mission managers implicated in the controversial decision not to deem the foam strike a safety of flight issue to defend their actions before a handpicked group of reporters.²¹⁴

In addition to ensuring that its side of the story was part of media coverage of the investigation, NASA commenced technical preparations for returning the shuttle to flight long before the scope of technical faults was known. On March 12, 2003, NASA's associate administrator for space flight assembled a team under the leadership of astronaut Col. James D. Halsee, Jr.²¹⁵ As details of the accident became known, NASA formed a larger "Return to Flight Planning Team" in April 2003 in which engineers began exploring hardware fixes they anticipated would be necessary. The Space Flight Leadership Council, NASA's governing body for shuttle modifications, began adjudicating proposed engineering modifications the following month.²¹⁶

Among the more straightforward of its actions, NASA's return to flight team began working on four interim recommendations passed down by the investigation before the publication of its final report. The shuttle program eventually added fifteen "raising the bar" safety upgrades that went beyond what the investigation required. To show its responsiveness to the investigation, NASA chronicled the steps it had taken in a "Return to

²¹³ NASA Press Release, "Space Shuttle Mission Management Team Transcripts Released," July 21, 2003.

²¹⁴ NASA, "Transcript of NASA Press Conference with Linda Hamm, Phil Engelauf, and LeRoy Cain," July 23, 2003. Their sorrow at having overseen decisions that ultimately contributed to *Columbia*'s loss was the subject of a number of media stories the next day. See John Schwartz, "NASA Team Believed Foam Could Not Damage Space Shuttle," *The New York Times*, July 22, 2003, and James Oberg, "Post-Columbia NASA Hunkers Down: Officials' View of Shortcomings is a Bad omen for Future Clash," *MSNBC*, July 23, 2003.

²¹⁵ NASA, "NASA's Implementation Plan for Return to Flight and Beyond," (August 15, 2003), 3-1 and (September 8, 1002) Appendix A, A-1.

²¹⁶ NASA, "NASA's Implementation Plan for Return to Flight and Beyond," (September 8, 1002) Appendix A, A-1 and A-2.

Flight Implementation Plan.”²¹⁷ The glossy document, meant for public and media consumption, was posted prominently on NASA’s website.²¹⁸

Not all of NASA’s actions were carefully linked to technical details emerging from the accident sequence. As the Board disclosed its focus on managerial and organizational questions, NASA unveiled its own plan for a re-invigorated safety and mission assurance organization inside the shuttle program. On Tuesday July 15, 2003, Administrator O’Keefe announced the creation of an independent engineering and safety center that would involve more than 250 employees across NASA headquarters and six field centers.²¹⁹ The safety center was to provide independent assessment and testing support to projects and programs. O’Keefe tapped Ralph Roe, a shuttle program manager who had played a leading role in decisions during *Columbia*’s flight, to head the new safety office.²²⁰

Many interpreted O’Keefe’s creation of the safety center as a deliberate pre-emption of the Board. By ordering a major change in how NASA performed safety oversight just a month and a half before the investigation released its recommendations, O’Keefe entrenched expectations inside NASA as to what the new safety structure would be. The Board went on to recommend a different model of technical oversight that the new NASA safety center was not designed to accommodate.²²¹ A review panel later noted that the advent and staffing of the safety center announced by O’Keefe complicated NASA’s transition to the technical line authority ultimately recommended by the Columbia Board.²²²

²¹⁷ Frequently updated versions of “NASA’s Implementation Plan for Return to Flight and Beyond” were posted at the agencies return to flight website from July 2003 through the launch of the Shuttle Discovery a year and a half later.

²¹⁸ Critics noted that it was more a “status report” than a plan. See observations by Dr. Dan L. Crippen, Dr. Charles C. Daniel, Dr. Amy K. Donahue, Col. Susan J. Helms, Ms. Susan Morrissey Livingstone, Dr. Rosemary O’Leary, and Mr. William Wegner Appendix A2, Return to Flight Task Group Final Report, August 17, 2005, 190.

²¹⁹ NASA, press release, “NASA Announces Independent Engineering And Safety Center,” July 15, 2003.

²²⁰ John Schwartz and Warren E. Leary, “NASA Announces Sweeping Changes in the Management of the Space Shuttle Program,” *The New York Times*, July 3, 2003 and Gwyneth K. Shaw, “Further Changes Foreseen At NASA: The Accident Report Will Trigger More Moves, Shuttle Chief William Parsons Said,” *Orlando Sentinel*, July 04, 2003.

²²¹ The Board’s views on the safety oversight function are spelled out in chapter 7 and 8, as well as recommendation 7.5-1, *Columbia Accident Investigation Board Final Report* (Washington, D.C.: Government Printing Office, 2003), Vol. 1. Admiral Gehman later testified about the O’Keefe center in Congress. “It’s not intended to satisfy the requirements,” Gehman said. “It does not. But it’s a good start.” As quoted in “NASA Reform Won’t End with Virginia Center,” *Daily Press (Newport News)*, September 11, 2003. When NASA was slow to change course, Senator McCain considered mandating the independent engineering authority in law. The debate over how to structure NASA’s independent safety function continued well beyond the return to flight process. NASA Authorization Act of 2004, (S. 2541), Section 202.

²²² See the findings of the Organizational Review Subpanel, Return to Flight Task Group.

The safety center was not O’Keefe’s only act of resistance. Though NASA had pledged the investigation full accountability and access, O’Keefe’s public comments during congressional testimony and elsewhere revealed deep ideological fissures between NASA leadership and the Board.²²³ At one press conference he lashed out at the theories of sociologist Diane Vaughan. “Book sales must be up,” O’Keefe commented, implying that Vaughan’s association with the investigation was motivated by financial gain.²²⁴

Revealing a Janus-faced posture that would persist through the return to flight process, NASA was at once cooperating with and resisting the investigation and its findings. This dynamic of resistance, as corporate NASA struggled to control the shuttle program and its own image, is characteristic of the politics of disaster and reform. How commissions and the institutions they investigate manage the tension between them affects how political, organizational, and ideological change occurs.

After several early adversarial moments, O’Keefe discovered he was in no position to resist the investigation’s findings, either in public or with lawmakers.²²⁵ The Columbia Board had unearthed damaging information about managerial lapses and safety flaws inside NASA. Most prominently, with its foam shot test, the Board visibly proved wrong O’Keefe’s prediction that foam could not shatter an RCC panel. O’Keefe not only led an organization that at first denied its culpability in the *Columbia* accident. By loudly dismissing the investigation’s hypothesis, O’Keefe had been proven something of a fool. In response, critics in the media and Congress increasingly assailed him and others at NASA for failing to take responsibility for the accident. The Columbia investigation had made a forceful case both in public and to the lawmakers to whom NASA is accountable. Like other successful disaster investigations, the Board had not only found damaging facts. It had demonstrated NASA was wrong.

It was from a position of damaged credibility in the summer of 2003 that O’Keefe announced his most significant return to flight policy: a pledge that NASA would “comply

²²³ The exchanges between Admiral Gehman and Administrator O’Keefe at the Senate Commerce Committee Hearing, May 13, 2003, are emblematic. See Larry Wheeler, “Gehman, O’Keefe Spur Before Senate Panel: Pair at odds about Shuttle safety,” *Florida Today*, May 14, 2004 and William Langeweische, “Columbia’s Last Flight,” *The Atlantic Monthly*, November, 2003.

²²⁴ Diane Vaughan, “NASA Revisited: Theory, Analogy, and Public Sociology,” *American Journal of Sociology*, Vol. 112, No. 2, September 2006, 353-93.

²²⁵ Several of O’Keefe’s colleagues cite his fall in political standing as the reason behind his announcement of an overarching policy for how NASA would respond. Interviews with Return to Flight Task Group members and staff, March and April, 2006.

fully and without equivocation” with Board recommendations.²²⁶ O’Keefe’s unconditional acceptance of pending Board recommendations became known as the “embrace and comply” policy—a policy whose full significance did not manifest itself until months later. When the report was released, he repeatedly told the press, “we get it.” The official line, aired in numerous public appearances, was “to accept those findings and to comply with the recommendations, embrace this report, and go about diligently implementing all those recommendations to improve it.”²²⁷ The complete supplication was a stunning reversal from NASA’s earlier stance, and also an acknowledgement of how badly the agency’s reputation had been damaged by the investigation. The Columbia investigation had succeeded in turning a piece of foam into an indictment of NASA, illustrating in the process the role that public and official opinion plays in the receptivity of agencies to reform.

Return to Flight Task Group

O’Keefe soon bolstered his “embrace and comply” by agreeing to submit his agency’s implementation of report recommendations to external verification. The job of assessing NASA’s compliance with the Board’s fifteen return to flight recommendations, plus additional “raising the bar” measures identified by the shuttle program, fell to a 26-member committee chartered at O’Keefe’s behest. The Return to Flight Task Group grew out of an existing NASA advisory group co-chaired by Thomas Stafford, a Gemini and Apollo astronaut, and four-time shuttle astronaut Richard Covey. The full Task Group, which operated with its own staff and under the provisions of the Federal Advisory Committee Act, was formalized in mid-July.²²⁸

²²⁶ John Schwartz, “Critics Question NASA on Safety of the Shuttles,” *The New York Times*, February 7, 2005.

²²⁷ O’Keefe’s public remarks on the embrace and comply policy include his appearance on the PBS News Hour, an interview on CNN, and a hearing before the House science committee. Transcripts of his remarks can be found online at: http://www.pbs.org/newshour/bb/science/july-dec03/okeefe_8-28.html, <http://transcripts.cnn.com/TRANSCRIPTS/0308/28/ltn.06.html>, and <http://www.house.gov/science/hearings/full03/sep10/okeefe.htm>.

²²⁸ The Return to Flight Task Group grew out of the Task Group on International Space Station Operational Readiness, which Stafford and Covey headed. O’Keefe’s asked Stafford and Covey to prepare for a return to flight assessment on April 14, 2003, but the full concept of a separate Task Group was not announced until July 18, 2003. See the Return to Flight Task Group final report, 5. The Task Group did not hold all of its meetings under the full regime of disclosure specified by the act. Return to Flight Task Group (First) Interim Report, January 20, 2004, 3, D-1 and Public Law 92-463 (86 Stat. 770), Federal Advisory Committee Act, October 6, 1972.

Members of the Board, media commentators, and some in Congress viewed the Return to Flight Task Group as a promising development. Although O’Keefe selected agency insiders to chair the review, its membership was unusually varied. Experts on risk management, organizational sociology, and public administration, including the former director of the Congressional Budget Office, a professor from the Maxwell School of Public Affairs, and the former Under Secretary of the Navy, joined astronauts and aeronautical engineers on the panel.²²⁹ The fully augmented Task Group met even before the Board issued its final report and continued their evaluation of NASA until just before *Discovery*’s launch in July 2005.²³⁰

Announcing an independent panel of experts to certify NASA’s implementation of investigation recommendations appeared to be a critical commitment. How reforms proposed by commissions are actually implemented, and who oversees the process, is a crucial determinant to how organizational change happens. Given NASA’s record of letting safety recommendations languish, commentators hailed O’Keefe’s move as a sign that the agency was finally reckoning with its troubled history. The diversity of expertise on the Return to Flight Task Group was seen to signal NASA’s commitment to organizational and cultural as well as technical change. The Task Group was however a weaker mechanism than used to verify the implementation of the Rogers Commission recommendations. The ensuing congressional debate over its authority reveals that the battle for control over the shuttle program was very much alive even after the Columbia report was issued.

After the *Challenger* accident, a panel from the National Research Council was endowed with the power to reject technical modifications proposed by NASA.²³¹ When the National Research Council proposed to also oversee post-*Columbia* changes, O’Keefe rebuffed the offer in favor of constituting the Task Group, which would not have the power to veto modifications suggested by the shuttle program.²³² Skeptical congressmen contested

²²⁹ Appendix B, “Task Group Members,” Return to Flight Task Group Final Report, July 2005.

²³⁰ Return to Flight Task Group, press releases, “Former Apollo & Shuttle Commanders Lead Columbia Accident Report Task Group,” June 13, 2003 and “NASA Names Return To Flight Task Group Members,” July 25, 2003.

²³¹ See NASA, “Implementation of the Recommendations of the Presidential Commission on the Space Shuttle Challenger Accident,” (Washington, D.C., NASA, June 1987) and Committee on Shuttle Criticality Review and Hazard Analysis, National Resources Council, *Post-Challenger Evaluation of Space Shuttle Risk Assessment and Management* (Washington: National Academy Press, 1988).

²³² House Committee on Science, *NASA’s Response to the Columbia Report*, 108th Congress, 1st Session, September 10, 2003, (Washington, D.C.: Government Printing Office, 2003), 4. See also Andrew J. Butrica, “Recovering from Columbia: Learning from NASA’s Return to Flight,” draft manuscript, 2007, 33.

O’Keefe’s decision, and two bills in Congress nearly overturned the process O’Keefe’s had set in place.²³³ The committees with jurisdiction of NASA ultimately voted the bills down, allowing O’Keefe’s Return to Flight Task Group to continue.

Despite lingering congressional concerns that the return to flight process had no binding mechanism, NASA seemed poised to rehabilitate itself. Administrator O’Keefe had publicly committed to “embrace and comply” with the Board’s recommendations and chartered a committee to independently verify the shuttle program’s compliance. Though members of the investigation viewed with skepticism NASA’s claim that the shuttle would be ready for launch by spring 2004, no one doubted that NASA would return to flight in the medium-term. All the ingredients for a successful reformation of the shuttle program seemed evident.

Only one question posed by the investigation remained to be answered: how long would the shuttle fly before being retired, and what was to be NASA’s post-shuttle mission in space. The answer, which came as a new space policy architecture announced by the President, was to shape how NASA implemented the investigation’s technical recommendations. As the return to flight process commenced, new tensions between mission goals and safety standards were about to arise, revealing how political imperatives placed upon NASA by the President, together with the agency’s own internal sense of mission, impacted the decision-making of engineers and managers inside the shuttle program. Tracing the source and action of these tensions reveal why recommendations of disaster commissions are often difficult to implement.

3.2 A New National Space Policy

Until the *Columbia* accident, the Bush administration’s most significant decision about NASA had been appointing Sean O’Keefe as Administrator. O’Keefe, then a White

²³³ The House considered, but did not implement, a binding return to flight process. The “Space Shuttle Independent Oversight Act of 2003” (H.R. 3219) would have required the NASA Administrator to institute a binding panel that would continue to report for five years after the termination of NASA’s return to flight efforts. The Senate considered a similar measure that would have mandated a National Space Commission with even wider responsibilities, but it, too, failed to become law. See Rep. Ralph M. Hall (D-TX), Rep. Dana Rohrabacher (R-CA) and Rep. Barton Gordon (D-TN), “Space Shuttle Independent Oversight Act of 2003,” October 1, 2003, H.R. 3219, 108th Congress, 1st Session, *Congressional Record*, Vol 149, No. 137, E1941 and Sen. Ernest F. Hollings (D-SC), Daniel Inouye (D-HI) John D. Rockefeller (D-WV), John Kerry (D-MA), John Breaux (D-LA), Byron Dorgan (D-ND) and Frank Lautenberg (D-NJ), “National Space Commission Act,” (S. 1821), November 5, 2003, 108th Congress.

House budget aide, was given an explicit brief to bring the agency's cost accounting systems under control. After the *Columbia* accident, the White House could no longer ignore the question of when the shuttle should be retired. Four and a half months after the investigation report was released, President Bush unveiled a new agency-wide mission at NASA headquarters.

Against a backdrop rendering a manned mission to Mars, Bush called for NASA to return to the moon by 2020 and then to eventually mount an expedition to the red planet. The event announcing the new "Vision for Space Exploration" included a video uplink with the International Space Station. Bush spoke to Commander Mike Foale, jokingly regretting that he couldn't shake his hand.²³⁴

The President's announcement of a new mission for NASA marked a shift in rhetorical justification for human spaceflight from science to exploration, two imperatives that have uneasily coexisted since the inception of the space program. Bush couched his new initiative in economic terms, justifying it as an investment in technological innovation that "will be repaid many times over."²³⁵ The close coupling between spaceflight and national power once again bound NASA to the national security state.

The President's vision, however, was not immediately linked to the long-term commitment of resources needed to carry it out. In a classic Washington maneuver, Bush provided few details about how the administration would pay over the long term for its ambitious Vision for Space Exploration and instead announced the appointment of a presidential commission to develop options.²³⁶ A few things, however, were clear. In order to make way for extra-planetary exploration, the space shuttle would be retired by 2010, at which time construction of the International Space Station would be complete. To fund the plan's initial stages, Bush proposed adding one billion dollars per year to NASA's budget for five years, with \$11 billion more being reprogrammed to the human spaceflight program

²³⁴ The White House, "Bush Announced New Vision for Space Exploration," January 14, 2004.

²³⁵ The White House, "Bush Announced New Vision for Space Exploration," January 14, 2004.

²³⁶ Headed by aerospace giant and former Air Group Secretary Edward "Pete" Aldridge, the Presidential Commission on "Moon, Mars and Beyond" was given 180 days to produce a report. On June 16, 2004, the nine member Commission predictably endorsed President's vision and suggested reorganizing NASA around its new exploration mandate. Controversially, the Aldridge commission called for NASA to further outsource engineering and operations to private industry. See "A Journey to Inspire, Innovate, and Discover," Final Report of the President's Commission on Implementation of United States Space Exploration Policy (Washington, D.C.: Government Printing Office), June 4, 2004.

from existing NASA accounts.²³⁷ To replace the shuttle, a Crew Exploration Vehicle would be designed and built by 2014. Lunar missions would commence in 2020, with a Mars mission following around 2030. Implementing the President's new policy would roil NASA for years to come.

The President's plan was immediately contested on many fronts, triggering a political struggle over NASA's future just as it was attempting to return the shuttle to flight. Partisan critics assailed the initiative as a political stunt. At a time when news of the growing insurgency in Iraq had lowered Bush's approval ratings, White House advisors reportedly endorsed the plan "as a way of associating the President with a unifying and uplifting election-year goal that transcends politics."²³⁸ Others viewed the announcement as Bush's initial foray into the 2004 presidential campaign. Space policy analysts noted the plan's similarity to President George H.W. Bush's soon abandoned call in 1989 for NASA to land a human on Mars by 2020.²³⁹

The space science community was especially critical of the President's stated intentions to prioritize the exploration of space over its scientific investigation.²⁴⁰ Reprogramming such a substantial portion of NASA's budget from science programs to human spaceflight led many scientists to conclude that the administration was in essence paying for its exploration initiative at the expense of research goals.²⁴¹ One scientist opined in the *New York Times* that the President's plan was "a poison pill" that amounted to "an impossible expensive and pointless program for some other administration to cancel."²⁴²

The Vision for Space Exploration soon introduced far-reaching organizational changes in the agency. Immediately following the President's address, NASA announced a new Directorate of Space Explorations Systems to develop technology to take astronauts to the moon and mars.²⁴³ A new Directorate of Aeronautics Research assumed leadership of the agency's research and development activities. After the release of the Aldridge report—the

²³⁷ The White House, "President Bush Announces New Vision for Space Exploration Program, Fact Sheet: A Renewed Spirit of Discovery," January 14, 2004.

²³⁸ David E. Sanger and Richard W. Stevenson "Bush Backs Goal of Flight to Moon," *The New York Times*, January 15, 2004.

²³⁹ Dwayne Day, "Aiming for Mars, Grounded on Earth" *The Space Review*, February 16, 2004.

²⁴⁰ For an overview of criticisms from the scientific community, see Jeff Foust, "Scientists and the exploration vision," *The Space Review*, June 14, 2004.

²⁴¹ Brian Berger, "White House Threatens to Veto Budget Bill Over NASA Cuts," *The Washington Post*, July 23, 2004.

²⁴² Robert L. Park, op-ed, "The Dark Side of the Moon September," *The New York Times*, September 22, 2005.

²⁴³ NASA, "NASA Announces New Headquarters Management Alignment," January 15, 2004.

commission called for by the President—NASA added two additional mission directorates.²⁴⁴ All in all, the Vision for Space Exploration consolidated NASA's seven divisions into four directorates, reorganizing the agency along functional rather than disciplinary lines.²⁴⁵

Implementing the changes called for by the "Vision for Space Exploration" took a great deal of time, requiring O'Keefe to largely delegate management of the shuttle program to subordinates.²⁴⁶ The organizational and budgetary restructuring that was a necessary consequence of the President's initiative soon introduced tensions into NASA's efforts to return the shuttle to flight, raising questions about whether NASA would once again cut corners after being saddled with a mission that appeared to outstrip its available resources.²⁴⁷ The first major test of NASA's commitment to the Columbia Board's recommendations came only two days after the President's speech.

Hubble Debate

On January 16, 2004, O'Keefe announced that he was canceling a service mission to the Hubble telescope. Choosing not to replace its ailing components dealt an effective deathblow to the publicly beloved instrument.²⁴⁸ O'Keefe's remarks stunned Hubble scientists at the Goddard Space Flight Center and shocked a public who loved the stunning visages of the cosmos the telescope provided.²⁴⁹

O'Keefe's announcement caught Congress by surprise as well. Within hours an outcry arose over NASA's unilateral decision to cease telescope operations.²⁵⁰ Many immediately leapt to the conclusion that O'Keefe had canceled the billion-dollar repair

²⁴⁴ The directorates are Space Operations and Science. See Presidents Commission on Implementation of United States Space Policy (The Moon, Mars and Beyond Commission), p. 19-26.

²⁴⁵ NASA Press Release, "Administrator Unveils Next Steps of NASA Transformation," June 24, 2004.

²⁴⁶ Interviews with Return to Flight Task Group members and staff, March and April, 2006.

²⁴⁷ See George Abby and Neal Lane, "United States Space Policy: Challenges and Opportunities," *American Academy of Arts and Sciences White Paper*, June 25, 2004.

²⁴⁸ Dennis Overbye, "NASA Cancels Trip to Supply Hubble, Sealing Early Doom," *The New York Times*, January 17, 2004.

²⁴⁹ That budget and schedule pressures should prematurely end Hubble's service life is deeply ironic, given that budget and schedule pressures had at first crippled Hubble's usefulness by bequeathing the telescope a flawed mirror. NASA flaunted the daring repair of the incorrectly ground mirror as a symbol of its prowess, thereby turning an episode of its own ineptness into a rationalization of the Shuttle's utility. See Eric Chaisson, *Hubble Wars: Astrophysics Meets Astropolitics in the Two-Billion-Dollar Struggle over the Hubble Space Telescope* (Cambridge, MA: Harvard University Press, 1998).

²⁵⁰ CNN continued its high-profile coverage of the Hubble story all through the spring of 2004. See, for instance, "Decision to Cancel Hubble Criticized," March 10, 2004 and "Panel Pushes NASA for Hubble Rescue Mission," July 14, 2004.

mission to help pay for the President's new space plan. Those that foresaw a coming tradeoff between space science and exploration seized on Hubble's premature demise as further evidence that space science was getting short shrift. Overnight, Hubble became a visible symbol of what NASA was losing under the President's new space policy.

Surprisingly, O'Keefe denied that budget constraints led him to prematurely retire Hubble.²⁵¹ Instead of describing the cancellation as a cost-saving measure, he rationalized his decision in terms of shuttle safety, maintaining that recommendations passed down by the Columbia investigation forbade a Hubble repair mission.²⁵² O'Keefe at first offered few details as to how exactly the Columbia investigation's recommendations precluded sending the shuttle on a mission it had safely completed three times before. His eventual elaboration hung on a novel reading of the Board's provision that the shuttle have a safe haven at the International Space Station in the event of a breach of its thermal protection system.²⁵³

O'Keefe buttressed this primary argument with a secondary line of reasoning. He argued that reducing the overall number of shuttle missions was in line with the Board's call to retire it as soon as possible. Canceling the Hubble servicing mission would reduce flights by one. Only by reading into the Board's recommendation more than had been seen by nearly all other commentators, and by stretching the definition of safety to include "fewest flights," was O'Keefe able to arrive at the conclusion that a Hubble mission could be canceled on safety grounds alone. It would prove a critical juncture in the politics of implementation now at play between the Board, NASA, Congress and the President.

O'Keefe's novel reading of the Columbia Board's recommendation on the need for a safe haven was not shared by others in Congress or at NASA. Members of the accident board also refuted O'Keefe interpretation.²⁵⁴ Dissenting NASA engineers even leaked internal engineering documents that undercut O'Keefe's position.²⁵⁵ As the controversy intensified, Barbara Mikulski (D-MD), in whose district the Hubble engineering division sits, asked Admiral Gehman for an impartial review of whether NASA should undertake the

²⁵¹ Dennis Overbye, "NASA Cancels Trip to Supply Hubble, Sealing Early Doom," *The New York Times*, January 17, 2004.

²⁵² O'Keefe eventually elaborated his rationale in a New York Times op-ed. Sean O'Keefe, op-ed, "Advancing Both Science and Safety," *The New York Times*, March 14, 2004.

²⁵³ Warren E. Leary, "NASA Chief Affirms Stand on Canceling Hubble Mission," *The New York Times*, January 29, 2004.

²⁵⁴ Columbia Board members Douglas Osherooff and Scott Hubbard both spoke out on the Hubble issue.

²⁵⁵ Dennis Overbye, "Engineers Papers Dispute Hubble Decision," *The New York Times*, February 7, 2004.

mission.²⁵⁶ Calling back into service the chair of an investigation that had concluded months before illustrated the continuing relevance of the Columbia Board as an arbiter of NASA decisions about safety.

In a personal letter to Congress, Gehman stated in unambiguous terms that the Board did not foreclose a mission to Hubble.²⁵⁷ His letter sheds additional light on the rationale behind several CAIB recommendations, definitely answering the question of what the Board meant in this instance. The *New York Times* followed Gehman's letter with an editorial about Mr. O'Keefe's "Astronomical Exaggerations."²⁵⁸ Dissent piled on still further when the National Academy's Space Studies Board stated that the safety justification proffered by O'Keefe was bogus and that the scientific value of the telescope merited another servicing mission.²⁵⁹ These rebuttals placed enormous pressure on NASA to reverse course. O'Keefe successor as NASA Administrator ultimately rescheduled the repair mission, which was successfully completed in May 2009.

The Hubble controversy illustrates a number of dynamics of the politics of disaster investigation and reform. O'Keefe's decision to cancel the mission on what he stated as safety grounds illustrates NASA's willingness to marshal technical engineering arguments in order to rationalize what by all accounts appeared to be a budgetary decision. The inevitable intermingling of specialized engineering judgment with broader political concerns is a signature feature of the institutions of the national security state. Yet reckoning with a public symbol, Administrator O'Keefe discovered, is no simple matter. Congress's ability to solicit independent analysis ultimately limited NASA's ability to act unilaterally, separating in this case the technical issues at stake from the programmatic decision being made.²⁶⁰

The Hubble controversy, however, would mark the last time Congress undertook a detailed review of NASA's decision during the return to flight process. Thereafter, NASA's decisions largely fell below the public radar, even as the President's Vision for Space Exploration continued to place enormous pressure on NASA to quickly return the shuttle to flight.

²⁵⁶ Warren E. Leary, "Shuttle Investigator Will Review Hubble Question," *The New York Times*, January 30, 2004.

²⁵⁷ Harold Gehman, "Letter to the honorable Barbara Mikulski," March 5, 2004.

²⁵⁸ Editorial, "Astronomical Exaggerations," *The New York Times*, March 13, 2004.

²⁵⁹ Warren E. Leary, "Panel Urges NASA to Save Hubble Space Telescope," *The New York Times*, July 14, 2004.

²⁶⁰ "Letter to Administrator O'Keefe," Committee on the Assessment of Options for Extending the Life of the Hubble Space Telescope, National Academies Space Studies Board, July 13, 2004.

Schedule Pressure Reappears

The Hubble servicing decision was not the only controversy that unfolded during the implementation of the Board's recommendations. The second significant post-*Columbia* clash of imperatives at NASA materialized over whether the high rate of planned shuttle flights constituted a threat to safety. Understanding the pressures acting on the flight schedule is crucial to linking how political decisions taken by the President and senior policy makers impacted engineering judgments within the external tank project. It all began with the budget.

The budget architecture of the Vision for Space Exploration was predicated on retiring the space shuttle by 2010. Without being able to redirect funds consumed by the shuttle, NASA would be unable to pay for the construction and testing of NASA's successor spaceship, the Crew Exploration Vehicle. Yet retiring the shuttle by 2010 narrowed the window of opportunity for NASA to complete the construction of the international space station.

In order to reach the desired, internationally agreed upon configuration of station modules and capabilities, NASA estimated that 28 dedicated shuttle flights would be necessary.²⁶¹ After two post-*Columbia* flights to certify hardware modifications, NASA would need to maintain a flight rate of approximately five shuttle flights per year, plus a possible Hubble repair mission. This would approach the highest post-*Challenger* flight rate that NASA had previously achieved with four orbiters, though now, after the loss of *Columbia*, it only had three. Commentators, NASA employees, and former Board investigators raised concerns that the ambitious launch schedule would reintroduce the very same scheduled pressure cited by the investigation as a key factor in the *Columbia* accident.²⁶²

²⁶¹ Brian Bergner, "Debate About Shuttle's Future Heats Up," *Space News*, October 29, 2004.

²⁶² Shortly after the Hubble controversy, Neal Lane and George Abby issued a highly critical report under the auspices of the American Academy of Arts and Science highlighting what they contend to be insufficient funding at NASA for so ambitious a mission as the Vision for Space Exploration. Lane and Abby echoed a consensus that NASA was once again being asked to operate programs without adequate budgets to support them. See George Abby and Neal Lane, "United States Space Policy: Challenges and Opportunities," *American Academy of Arts and Sciences White Paper*, June 25, 2004. For further commentary, see Jeff Foust, "A Stroll Down Abbey Lane," *The Space Review*, July 11, 2005.

The debate over schedule pressure refocused attention on the engineering efforts underway to meet the Board's recommendations. If engineering fixes proceeded quickly, NASA would have a better chance to complete space station construction before the mandated retirement of the shuttle. However, in late February 2004, just a month after the President's new policy was released, NASA associate administrator William Readdy announced that efforts to reduce foam debris and develop a repair kit for the thermal protection system were taking longer than anticipated. Potentially dangerous corrosion on actuators in the shuttle tail rudder had also been discovered. As a result, the shuttle program postponed the launch of its first post-*Columbia* mission from September 2004 to March 2005. The delay gave engineers a further six months to devise and test hardware modifications.²⁶³

Further engineering setbacks emerged in summer 2004. A new 50-foot inspection boom outfitted with laser and optical detection systems to find cracks in the thermal protection system would not be ready to fly on the first return to flight mission.²⁶⁴ Safety-conscious engineers then leaked documents alleging that using the International Space Station as a 'safe haven' in the event of a shuttle emergency—as required by the Columbia report—had high risk of failure. "The employees who provided the documents," the *New York Times* reported, "said the agency was cutting corners on cost and demanding that its schedule of space station construction continue, with safety as an afterthought."²⁶⁵

Behavioral Science Technology, Inc., an organizational culture consultancy, then issued a 145-page report suggesting that open communication is rarely realized within NASA and that employees do not feel comfortable raising safety concerns with management.²⁶⁶ Employee surveys conducted at multiple NASA centers provided empirical confirmation for the critique of NASA safety culture laid down by the Columbia investigation. NASA also released an internal review that found many of the Board's findings and observations applied to the International Space Station program as well.²⁶⁷ In response, O'Keefe said, "we've got a lot of work to do."²⁶⁸

²⁶³ Warren E. Leary, "Repairs and Need to Rescue Craft Pushed Back Shuttle Timetable," *The New York Times*, February 21, 2004.

²⁶⁴ Warren E. Leary, "Plans to Launch the Shuttle Are Dogged by Stubborn Safety Boom," *The New York Times*, June 19, 2004.

²⁶⁵ John Schwartz, "NASA Rescue Plan is Reported to Gave High Risk of Failure," *The New York Times*, July 9, 2004.

²⁶⁶ Warren E. Leary, "Better Communication is NASA's Next Frontier," *The New York Times*, April 14, 2004.

²⁶⁷ The review alleged that incomplete engineering blueprints, outdated computer databases, and critical operational deficits posed similar threats to station safety, especially in times of emergency. "A Renewed

The technical setbacks and reports of safety shortcuts left observers of the space program deeply troubled.²⁶⁹ The political imperatives being placed on NASA by the President together with the agency's own interest in completing space station construction to a particular configuration appeared to create an environment antithetical to the rigorous, safety driven process that NASA managers had publicly committed themselves to in the embrace and comply policy. Just months after the *Columbia* report positioned NASA to begin a new era of operations, the tide appeared to have turned against shuttle safety.

3.3 Return to Flight Task Group

Four days after O'Keefe announced he was canceling the Hubble repair mission, the Return to Flight Task Group issued its first interim report. The report praised NASA for the significant work it had undertaken, but noted that few of the Board's recommendations had been fulfilled. "While the tone of this interim report is justifiably positive," Task Group members wrote, "progress should not be mistaken for accomplishment."²⁷⁰ The report also stated that "NASA has not been timely in some of their responses to Task Group requests for information."²⁷¹ The sentence struck an ominous note, leading outsiders to wonder whether shuttle program managers were willfully obstructing the Task Group in an attempt to conceal or play down technical problems.

In what would prove to be a major shortcoming, and also an important determinant of success among disaster commissions, the Task Group differed greatly from the *Columbia* investigation. More an advisory panel than an investigative commission, it was not endowed with the diagnostic tools that the Columbia Board wielded so effectively. By design, it did not have operational control of the decision to launch. Rather, its sole mandate was to produce a public report for the NASA Administrator. Its larger membership made meetings unwieldy. Unlike the investigation, the Task Group met only occasionally and was supported

Commitment to Excellence: An Assessment of the NASA-Wide Applicability of the Columbia Accident Investigation Board Report," Official NASA Report, January 20, 2004. (Known as the Diaz Report, after report chair Al Diaz, the Director of Goddard Space Flight Center.) Online at:

http://www.nasa.gov/pdf/55691main_Diaz_020204.pdf. See also Warren E. Leary "NASA Report Says Problems Plague Space Station Program," *The New York Times*, February 28, 2004.

²⁶⁸ Warren E. Leary, "Better Communication is NASA's Next Frontier," *The New York Times*, April 14, 2004.

²⁶⁹ Dwayne Day, "Not quite exactly déjà vu all over again: The Vision for Space Exploration and learning from history," *The Space Review*, July 12, 2004.

²⁷⁰ Return to Flight Task Group First Interim Report, January 20, 2004, p.1.

²⁷¹ Return to Flight Task Group First Interim Report, January 20, 2004, p.1.

by a small, mostly administrative staff. Nevertheless, the Task Group followed in the investigation's footsteps by planning a series of public hearings, fact-finding trips, and interim reports that would ensure media coverage of its activities. The Task Group's highly public role gave it a measure of coercive power over shuttle program decisions. Launching against the advice of the Task Group would invite an unprecedented degree of media scrutiny.

The Task Group's members were initially excited about their role. One member described their job as providing "an orthogonal look," an outsider's perspective that, fresh with new insight, would help NASA managers rigorously consider the difficult choices they faced.²⁷² Realizing this goal would prove difficult.

Despite its clear mandate, the Task Group was slow to establish a coherent framework for its inquiry.²⁷³ In a reprise of debates that took place on the Board, members of the Task Group differed on the extent to which management and organizational issues should be considered a part of their evaluation. Not surprisingly, the co-chairs, both astronauts, preferred that the Task Group stick to a narrow technical assessment of the return to flight recommendations, whereas several NASA outsiders with expertise in organization and management took a more expansive view of the factors that belonged in the Task Group's purview.²⁷⁴ In a development with broader implications for the reform of complex systems, the view that ideological, cultural, and organizational dynamics are as important as engineering decisions about the technology would ultimately lose out.

Fixing the Foam

The Task Group's primary technical evaluation concerned NASA's effort to prevent a catastrophic debris strike. The investigation mandated a two-pronged approach. Board recommendation R3.2-1 called on NASA to reduce external tank debris, while R3.3-2 focused on hardening the orbiter so it could better withstand inadvertent strikes.²⁷⁵ NASA's effort to implement these two recommendations, as well as the Task Group's changing reception of its efforts, illustrate the competing pressures at play in the return to flight

²⁷² Interview with Dr. Amy Donahue, March 22, 2006.

²⁷³ Interview with Dr. Amy Donahue, March 22, 2006.

²⁷⁴ Interview with Dr. Amy Donahue, March 22, 2006.

²⁷⁵ See CAIB report, Chapter 3.

process. It is here that schedule demands imposed from above collided most visibly with engineering demands emanating from below. Understanding them can only occur by diving into the case's details.

The external tank is deceptively complex. Dozens of protrusions stud its surface, any one of which could shed a sizable piece of foam. The flat "acreage foam" that covers most of the tank is also problematic. Large sections of it have broken free during launch for ill-understood reasons.²⁷⁶ NASA and Lockheed engineers in the tank project knew a partial re-design would have to be undertaken to reduce foam loss from the protrusions and acreage tile. But they also knew that many accidents have been caused when added safety systems and modifications cause malfunctions on their own accord.²⁷⁷

Establishing where the risk of re-engineering outweighed the danger of leaving things the same was often a difficult judgment. Complicating matters still further, the root cause of foam loss was not well understood. Several possible failure modes had been identified. Engineers working at NASA and the Board unearthed evidence that subsurface voids lead to failure. In a so-called adhesive/cohesive debond, liquid nitrogen leaking from the tank—a process called cryo-pumping—or atmosphere that freezes deep within these voids—a process called cryo-ingestion—causes foam to pop off when it expands in response to the thermal stress of launch.²⁷⁸ Also suspected, but never definitely confirmed, was that larger pieces of foam separate when a sheer develops at the juncture of two layers, a fault termed knit-line failure. A minority of engineers suspected that mechanical crushing due to cryogenic loading also played a role, given how radically the tank shrinks and expands while being fueled and pressurized for flight. Lockheed engineers however vigorously denied the possibility of such a failure mode, claiming that any forces from mechanical crushing would remain under 1 percent of the foam's structural strength.²⁷⁹

At one level, NASA faced a quite standard technical controversy involving competing engineering readings that were in principle resolvable. A program of testing could in theory definitively uncover the mechanism for foam loss and thereby allow engineers to proceed

²⁷⁶ For a detailed description of the external tank and its insulating foam, see CAIB report, 131-130.

²⁷⁷ See Charles Perrow, *Normal Accidents: Living with High-Risk Technology*, (Princeton: Princeton University Press, 1984, 1999).

²⁷⁸ See CAIB report, Chapter 3.

²⁷⁹ Interview with Dr. Charles Daniel, March 28, 2006.

with modifications to the external tank protrusions and acreage tile that would end foam strikes to the shuttle with a high degree of confidence.

But engineers on the tank project did not have unlimited resources at their disposal. They were constrained by schedule and budget pressures. NASA's desire to finish the space station and to fulfill the President's Vision for Space Exploration placed a premium on the amount of time the external tank project could reasonably spend investigating mechanisms of foam loss. Programmatic goals imposed by shuttle management placed limits on the re-design effort from the outset. In a decision that was to prove fateful, NASA tentatively slated the launch date of *Discovery* on mission STS-114 even before the Board's report was released.²⁸⁰ Shuttle management then stuck to the March 2004 date they had selected after the investigation report called for more extensive modifications than anticipated.

The Rush to Launch

For engineers, the launch date functioned as a "line in the sand." Projects overseeing major shuttle components would need to complete re-engineering work and undergo a lengthy certification process before the flight readiness review, usually held one month before launch. This initially gave engineers in the tank project only six months in which to explore mechanisms of foam loss and redesign tank structures. Designating a launch date before engineers assessed how long it might take to meet the new requirements constrained the possible solutions they could pursue. It was here, in retrospect, that shuttle program management triggered a cascade of decisions that contributed to the potentially catastrophic foam loss on the return to flight launch.

Schedule pressure was the essential problem. The near-term deadlines produced what Task Group member Dr. Charles Daniel calls a "very narrow trade space," or matrix of engineering options that can be pursued in a given time limit.²⁸¹ The result was that engineers could not undertake efforts to improve the tank's safety that would take longer than six months to complete. "The launch date drove us to a lot of very bad solutions," said Task Group staff member Dennis Jenkins. The modification chosen by engineers in the tank

²⁸⁰ See the chart of projected launch dates on page 198-99 of the Return to flight Task Group's final report.

²⁸¹ Interview with Dr. Charles Daniel, March 28, 2006.

project, Jenkins said, were “often the last solution on the list that they came up with but the only one they could get done.”²⁸²

For the tank project, the launch date had two immediate consequences. First, a program of fundamental research to discover the mechanism of foam liberation could not be mounted in so short a time. Members of the Task Group were disappointed with the decision not to further explore causes of foam loss.²⁸³ In particular, concern grew that the failure mode of the bipod ramp might be a knit-line shear or mechanical crushing rather than adhesive/cohesive debond, which would entail different engineering modifications be made on the tank. Task Group members proposed asking the Naval Research Labs to conduct an independent analysis to distinguish between the failure modes, but Task Group co-chair Dick Covey insisted that such an action was beyond the Task Group’s mandate.²⁸⁴ This decision would later take on significance when micro-cracks discovered on the external tank slated to lift shuttle *Discovery* to orbit, suggesting that mechanical crushing, not adhesive/cohesive debond, was the primary failure mode causing foam loss.²⁸⁵ Launching shuttles without understanding what caused foam debris unnerved Task Group members and tank project members alike, but unlike the Columbia investigation, Task Group members had no ability to explore the problem on their own. Not providing a disaster investigation with its own staff and consulting resources handicapped its efforts.

Second, the tight schedule precluded the tank project from re-engineering each of the areas and protrusions identified as at risk for catastrophic foam shedding. Engineering reviews conducted by the tank project identified sixteen areas of foam liberation that could pose a danger to the shuttle’s fragile thermal protection system. To decide which to prioritize for redesign, the project undertook an analysis of the risk each posed and options for reducing it. Only five of the sixteen could be redesigned in the time before the shuttle was to launch.

To ensure commonality across the shuttle program, NASA program management devised a tiered scheme to prioritize re-engineering efforts. Phase I activities were to occur before the launch of *Discovery*, phase II after the two post-Columbia “test flights,” and phase

²⁸² Interview with Dennis Jenkins, April 6, 2006.

²⁸³ Interview with Dr. Charles Daniel, March 28, 2006.

²⁸⁴ Interview with Dr. Charles Daniel, March 28, 2006.

²⁸⁵ Backscatter X-ray diffraction revealed nine cracks on ET-120 PAL ramp after it was twice pressurized while stacked on the pad. It is notable that this post-pad inspection happened by chance – ET-120 was de-stacked from STS-114 after a propellant sensor malfunction.

See Michael A. Dornheim, “Foam Puzzle: Engineers Ponder Importance of Cracks Found in Shuttle External Tank Foam: *Aviation Week & Space Technology*, November 29, 2005, 35-36.

III in the longer term.²⁸⁶ It was up to each project to determine, in coordination with program management, which modifications to pursue in each of the phases. For the tank project, “phase I” areas included the bipod ramp, liquid oxygen line bellows, and the intertank. The rest were slated for redesign in phases II and III, at unspecified future dates. Importantly, the removal of the PAL ramp, one of the most dangerous potential sources of foam loss, was delayed until phase II.²⁸⁷

As the tank project undertook its phase I modifications, the launch date started to slip once again. With the scope of technical repairs becoming clear across the program, NASA announced in October 2003 that the return to flight launch would slip from March to September 2004.²⁸⁸ This would give engineers an additional six months to pursue their work. NASA announced a further delay in February 2004. The return to flight launch, first scheduled for March 2004, would now slip to March 2005.²⁸⁹

The problem for the tank project was that these launch extensions did not necessarily reopen the engineering “trade space” Daniel spoke of. By the time the second delay was announced, work on existing modifications was far enough along that the tank project decided not to revert to technical course engineers would have preferred to follow had more time been available from the outset.²⁹⁰ “They were always six months away from a perceived flight day,” technical sub-panel member Dr. Charles Daniel explained, so that “all solutions were six month solutions.”²⁹¹ With resources already committed, starting anew wasn’t possible.

NASA eventually announced launch slips that amounted to over two years of additional time, but they came in increments that were too small to permit a fundamental reconsideration of the re-design effort. “The slips were never long enough for them to go back and rethink things,” Jenkins explained.²⁹² “If only we’d known we were down for two years we would have approached this very differently,” NASA engineers told the Task

²⁸⁶ NASA, “NASA’s Implementation Plan for Return to Flight and Beyond,” March, 2004.

²⁸⁷ The PAL ramp covers liquid oxygen and hydrogen feed lines. A sub-section of PAL ramp determined to be of particularly high risk was removed and reapplied with a process known to yield more precise results.

²⁸⁸ Fraser Cain, “NASA Targeting September Shuttle Launch,” *Universe Today*, October 6, 2003.

²⁸⁹ William Harwood, “Next Shuttle Flight Delayed; Rescue Scenario Formed,” *CBS News*, February 19, 2004.

²⁹⁰ Interview with Dennis Jenkins, April 6, 2006.

²⁹¹ Interview with Dr. Charles Daniel, March 28, 2006.

²⁹² Interview with Dennis Jenkins, April 6, 2006.

Group.²⁹³ The tyranny of time had forced engineers into a highly imperfect sequence of decisions.

Scheduled Return-to-Flight Launch Dates			
Meeting Date	STS-114 Launch Date	Days Until Launch	Months Until Launch
Jan 29, 2003	Mar 01, 2003	31	1.0
Feb 10, 2003	Mar 01, 2003	19	0.6
Feb 11, 2003	Apr 03, 2003	51	1.7
Feb 24, 2003	Apr 03, 2003	38	1.3
Feb 25, 2003	Jul 21, 2003	146	4.9
Apr 16, 2003	Jul 21, 2003	96	3.2
Apr 17, 2003	Oct 01, 2003	167	5.6
May 21, 2003	Oct 01, 2003	133	4.4
May 22, 2003	Dec 18, 2003	210	7.0
Jul 28, 2003	Dec 18, 2003	143	4.8
Jul 29, 2003	Mar 11, 2004	226	7.5
Oct 05, 2003	Mar 11, 2004	158	5.3
Oct 06, 2003	Sep 12, 2004	342	11.4
Mar 08, 2004	Sep 12, 2004	188	6.3
Mar 09, 2004	Mar 06, 2005	362	12.1
Oct 28, 2004	Mar 06, 2005	129	4.3
Oct 29, 2004	May 12, 2005	195	6.5
Feb 15, 2005	May 12, 2005	86	2.9
Feb 16, 2005	May 14, 2005	89	2.9
Apr 06, 2005 (SFLC)	May 15, 2005	39	1.3
Apr 19, 2005 (SFLC)	May 22, 2005	33	1.1
Apr 29, 2005 (HQ)	July 13, 2005	75	2.5
Jul 13, 2005 (scrub)	July 16, 2005	3	0.1
Jul 16, 2005 (HQ)	July 26, 2005	10	0.3

Figure 3.1: Chart Showing Slippage of Planned Launch Date²⁹⁴

²⁹³ Return To Flight Task Group Final Report, p. 198

²⁹⁴ Return To Flight Task Group Final Report, p. 198

The changing launch schedule was not the only dynamic affecting tank project efforts. Larger transformations at NASA also trickled down. The announcement that the shuttle would be retired by 2010—made in conjunction with the President’s Vision for Space Exploration plan—led NASA to cancel phase III re-engineering efforts altogether. With the seemingly imminent retirement of the shuttle, it made little financial sense for the project to invest in exploring some of the fundamental issues regarding foam loss that had been relegated to Phase III.²⁹⁵ If the shuttle was to retire in 2010, resources would be better expended elsewhere.

Work nevertheless continued diligently until January 2005, when the tank project was dealt a major setback. A new engineering analysis revealed that the shuttle thermal protection system was more fragile than understood.²⁹⁶ Tests to determine debris strike vulnerability indicated RCC panels could fracture under in as little as 400 foot-pounds of stress, not a 1,500 figure initially determined by the Shuttle Integration Office.²⁹⁷ As a result, the tank project’s efforts to reduce debris were calibrated to an incorrect standard. The tank project did meet its initial goal of reducing probable debris below an impact of 1,500-foot-pounds, but as the Task Group commented in its final report, “these requirements were later perceived to be inadequate.”²⁹⁸

Backing Away from “Embrace and Comply”

NASA now faced a major crisis of credibility just four months before *Discovery*’s slated launch. Would the shuttle program admit that the modified external tank did not meet the Board’s requirement to reduce debris below catastrophic levels and delay the return to flight launch to initiate a new effort to reduce debris? Or would the program argue that it could not meet the Columbia standard but that efforts had yielded sufficient safety gains to proceed with launch? The program did neither. Instead, in the opinion of several Task Group members, it tried to “cook the numbers” so that Board’s standard could be “shown to be” upheld. Shuttle management employed a little-used risk analysis tool to see whether a case could be built that existing modifications met the standard. This “capabilities over

²⁹⁵ Interview with Dennis Jenkins, April 6, 2006.

²⁹⁶ John Schwartz, “Shuttle Surface More Vulnerable Than Suspected,” *The New York Times*, January 21, 2005.

²⁹⁷ Interview with Dennis Jenkins, April 6, 2006.

²⁹⁸ Return to Flight Task Group Final Report, 38

environment” analysis redefined the requirement from withstanding “worst-on-worst” impacts to only a “best-estimate” of the likely debris environment. Because “worse on worst” impacts would still be possible in the real world, the change of assessment methodologies significantly reduced safety margins.²⁹⁹

Critics saw the maneuver as a thinly-veiled attempt to “make the number come out right,” and indeed shuttle program managers admitted as much in private to Task Group members.³⁰⁰ When asked whether further modifications would be made to the external tank in light of the new analysis, the program’s answer, paraphrased in the Task Group report, was “no, that’s why we’re changing the models so we don’t have to change the tank.”³⁰¹ The capabilities over environment analysis was, in the opinion of Task Group members, a classic case of “moving the goalposts” once it became clear that the original objective could not be met.³⁰²

On top of the revelation that the shuttle program was redefining standards, leaked internal documents fueled further speculation that NASA was indeed abandoning its commitment to a new ethic of safety. One engineering assessment noted that “significant risks from further unknowns” would mar the return to flight launch because hardware modifications would not be complete in time.³⁰³ Another leaked document indicated that NASA managers were strategizing how to “beat” Board recommendations in the very ways noted by the Task Group. The memo, written by manager of Systems Engineering and Integration John Muratore, outlined three ways to compensate for “overly conservative” assumptions that, if kept in place, would prevent NASA from meeting Board recommendations:

1. Move from the traditional worst-case situation...to ‘our best estimate of actual conditions.
2. Reduce safety rations

²⁹⁹ For the actual Compatibilities over Environment briefing to the Task Group, see John Muratore, “Debris Transport Status Analysis,” February 19, 2004.

³⁰⁰ Return to Flight Task Group Final Report, 206.

³⁰¹ Return to Flight Task Group Final Report, 206.

³⁰² Administrator Griffin, shortly after he was appointed, is said to have discarded this controversial technique in favor of probabilistic risk assessment.

³⁰³ John Schwartz, “Critics Question NASA on Safety of the Shuttles,” *The New York Times*, February 7, 2005.

3. Relax standards³⁰⁴

Attempts by the shuttle program to substitute less rigorous risk evaluation methods spurred a heated debate inside the Task Group over what constituted satisfactory fulfillment of the Columbia Board recommendations. When the Task Group convened in February 2005, three months before *Discovery*'s scheduled launch, shuttle managers increasingly proposed that the Task Group accept "best-effort" rather than "meet the standard" engineering fixes. As a result, the Task Group found itself locked in a semantic argument with NASA officials over the definitions of verification and compliance. A number of Task Group members accused NASA of having assembled something of a lawyer's case—construing the evidence in the best possible light rather than putting forward a dispassionate, balanced evaluation.³⁰⁵ To help referee the disputes that had broken out, the Task Group reached out to former Board members, including Admiral Gehman, but per their long-standing policy to avoid making uninformed judgments from the sidelines, they declined to become involved.³⁰⁶ Congress also demurred. The Task Group was left largely without allies to take on NASA itself.

While internal arguments mounted within the Task Group, NASA began changing the tone of its public pledge to fulfill all of the Board's recommendations. As it became clear that required technical capacities could not be fully developed before the scheduled launch of *Discovery*, headquarters officials began to back away from Administrator O'Keefe's pledge to unconditionally "embrace and comply." NASA spokesperson Allan Butel asserted that the investigation's use of the word 'practical' "provided a degree of flexibility in fulfilling the recommendations."³⁰⁷ Rather than fulfill Board recommendations unconditionally, NASA officials began stating in public that they would strive instead toward a substantial reduction of risk. Embrace and comply, once a gold standard that NASA would hew to without fail,

³⁰⁴ John Schwartz, "NASA is Said to Loosen Risk Standards for Shuttle," *The New York Times*, April 22, 2005.

³⁰⁵ Interview with Dr. Charles Daniel, March 28, 2006, Dr. Amy Donahue, March 22, 2006, and Dennis Jenkins, April 6, 2006.

³⁰⁶ Gehman and other Board members had long maintained a policy of distancing themselves from closely commenting on the return to flight process. "One of the things the CAIB said when we released our report, and we've said it consistently since, we were not going to be sitting on the sidelines doing what we called 'grading NASA's papers,' Gehman said. "I've been following this business, but not in great detail because our policy was that unless they just gaff us off, we weren't going to critique them. And they certainly are not gaffing off our recommendations. They certainly are making a try." William Harwood, "Gehman: NASA is meeting intent of Columbia board: Interview with Admiral Gehman," *CBS News Online*, February 10, 2005.

³⁰⁷ John Schwartz, "Critics Question NASA on Safety of the Shuttles," *The New York Times*, February 7, 2005.

gradually became a goal toward which NASA would merely work. The therapeutic correctives specified by the Board began losing the inevitability that once surrounded their implementation.

Revolt in the Task Group

Despite growing reservations among some of its members, the Task Group as an official body initially did not object to NASA's distancing from its "embrace and comply" policy. The Task Group's January 28, 2005 interim report conceded that if NASA did not follow CAIB recommendations to the letter, it would look favorably on NASA's efforts so long as modifications contributed to a "reduced risk" on the shuttle.³⁰⁸ The Task Group, while still insisting upon a rigorous assessment of safety gains, was itself backing away from its earlier, absolutist stance on recommendation fulfillment.

In March 2005, the Task Group assembled for what was then scheduled to be its last meeting. Its members agreed that NASA had by now satisfactorily implemented thirteen of fifteen CAIB recommendations and one additional "raising the bar" measure. But the group was split over the three recommendations that remained: external tank debris shedding, orbiter hardening, and thermal protection system inspection and repair.

By now the push to launch had grown intense. By moving *Discovery* from its hanger to the Vehicle Assembly Building and then rolling it to the launch pad, where further modifications could not easily be made, shuttle management signaled their intent to go ahead with a launch before all analytical disputes had been resolved.³⁰⁹ With engineering analysis still on-going, it looked as if the Task Group's final assessment would be pushed to within 30 days of *Discovery*'s scheduled launch date, violating the original interim period NASA had committed to leaving between the end of the Task Group's deliberations and the shuttle's launch. A confrontation between NASA and the Return to Flight Task Group loomed.

In the tense atmosphere in which members tried to work through their evaluation of the final three recommendations, a disagreement broke out over information being supplied to the Task Group. Members complained that responses to their requests for information, the

³⁰⁸ John Schwartz, "Critics Question NASA on Safety of the Shuttles," *The New York Times*, February 7, 2005.

³⁰⁹ NASA press releases, "Major Return To Flight Milestone," March 29, 2005, and "NASA's Space Shuttle *Discovery* Set for Roll to Launch Pad," April 1, 2005.

official system of correspondence between NASA and the Task Group, frequently arrived with out-of-date information. Presentations given as evidence to the Task Group would have neither dates nor page numbers. Some contained contradictory data. It became clear to some Task Group members that NASA was not tasking its most knowledgeable officials to pull the data together. Instead, less experienced staff had simply “gone off and data-mined.” To some, this was a message from the shuttle program that Task Group requests were of secondary importance. “They were polite, and business like,” Daniel commented, “but they knew the Task Group had no directive authority over them. All we could do was serve and write a report and that was the end of it.”³¹⁰

The breakdown in the request for information process meant that Task Group members did not receive requested data in time for their last scheduled meeting. The squabble spilled over into the press, with Task Group members accusing NASA of deliberately withholding analyses they needed to make a final assessment.³¹¹ After NASA did not deliver the data during two-days of fact-finding, the Task Group cancelled their public plenary.³¹² Out of public view, disagreements unfolded between the co-chairs and Task Group members who were dismayed at what they saw as NASA’s retreat from the standards set down by the Columbia Board. The lack of technical rigor and engineering professionalism displayed by shuttle program officials concerned these members even more than the program’s inability to fulfill specific recommendations.

The highly formalized manner in which the co-chairs ran Task Group meetings precluded an open discussion of their concerns, leading to a moment of high drama. Dr. Dan Crippen, former director of the Congressional Budget Office, was among the first to break ranks. Ignoring the meeting agenda, he initiated a discussion about the integrity of the process and the need to consider finding NASA in breach of Board recommendations. Several other Task Group members joined Crippen in airing their reservations.³¹³ A revolt was underway in the Task Group.

To resolve the impasse, the co-chairs moved to assemble a list of concerns that dissenting members could make known to NASA leadership offline. The Task Group

³¹⁰ Interview with Dr. Charles Daniel, March 28, 2006.

³¹¹ James Oberg, “Shuttle Panel Divided Over NASA Compliance: A case of late paperwork or something more serious,” *MSNBC*, April 6, 2005.

³¹² NASA, “Return To Flight Task Group Postpones March 31 Meeting,” March 30, 2005.

³¹³ Interviews with Return to Flight Task Group members and staff, March and April, 2006.

members agreed that the chairs of the three subgroups would take their concerns directly to the NASA Administrator in a meeting joined by Stafford and Covey. In addition, Crippen proposed the writing of a public dissent. At this point, several people “who had relationships to protect,” in the words of one Task Group member, declined to formally join the dissenters.³¹⁴ Several other members believed that these sorts of disagreements were best resolved “in-house” and stated their opposition to a public airing of disagreement.³¹⁵ Six members, however, elected to join Crippen in the writing of a public dissent that would be attached to the Task Group’s final report.

As the debate in the Task Group unfolded over the next several weeks, a change in leadership occurred at NASA. Administrator Sean O’Keefe had resigned in late 2004 to become the chancellor of Louisiana State University. His successor, the aerospace engineer and former NASA associate Administrator Michael Griffin, assumed leadership of the agency on April 14, 2005.³¹⁶ In his first press conference, just weeks before the scheduled launch of *Discovery*, Griffin affirmed NASA’s backing away from “embrace and comply” by stating that current safety modifications were sufficient for launch. Launching before satisfying all of Board’s recommendations, Griffin said, “is something I would consider.”³¹⁷

Griffin’s arrival nevertheless fostered a new dynamic between headquarters and rank and file engineers. In contrast to O’Keefe, Griffin took “aggressive, personal leadership” of the shuttle program.³¹⁸ In a story retold through the NASA ranks, Griffin quietly boarded a commercial flight to the Kennedy Space Center, rented a car, and then arrived unannounced and without entourage at a technical meeting on foam and ice held by the external tank project. When offered a position at the table he refused and sat instead in the outer ring of chairs among lower ranking engineers.³¹⁹

The arrival of the new, technically-inclined Administrator appeared to exert an immediate effect on how the agency discussed safety of flight issues. The meeting he attended was called to address a late-breaking concern that the tank project had not rigorously considered the danger posed by ice debris from re-engineered structures. The risk appeared to be low but potentially serious—in other words, the exact kind of problem posed by o-rings

³¹⁴ Interviews with Return to Flight Task Group members and staff, March and April, 2006.

³¹⁵ Interviews with Return to Flight Task Group members and staff, March and April, 2006.

³¹⁶ NASA, “NASA Administrator Michael Griffin,” October 2007.

³¹⁷ NASA, “Press Conference with NASA Administrator Michael Griffin,” April 18, 2005.

³¹⁸ Interview With Dr. Charles Daniel, March 28, 2006.

³¹⁹ Interview With Dr. Charles Daniel, March 28, 2006.

and falling foam that NASA in previous years might have relegated to further study but not delayed launch to address. It was therefore a relief for many safety-conscious watchers of the shuttle program that on April 29, 2005 Griffin announced a two-month launch delay, from May to July 2005, to allow the tank project to conduct further analysis on the ice threat.³²⁰ Griffin's decision to roll *Discovery* off the pad and back into the hanger demonstrated the new Administrator's receptivity to safety concerns.³²¹ The spectacle of the shuttle rolling backwards from the launch pad after it had been declared fit for lift-off nevertheless confirmed for many observers that NASA was indeed gripped by a strong case of launch fever.

Despite Griffin's decision to halt the launch, dissenting members of the Task Group went forward with writing their minority report. The details of their dissent took shape at the Task Group's two final meetings in June. Stafford and Covey wished to avoid discussing the dissent, maintaining the posture that the cultural and management issues concerning the dissenters "fell outside of the scope of looking at readiness for 114."³²² Media reports of the debate inside the Task Group thickened speculation that the Task Group would recommend against launch.³²³ STS-114 once again rolled to the pad as controversy brewed.³²⁴

At the end of June, the Return to Flight Task Group published a ten page executive summary in advance of their final report in August.³²⁵ It concluded that NASA had not fulfilled three recommendations on orbiter hardening, debris reduction, and on-orbit repair, but recommended launch nonetheless. "The remaining three recommendations were so challenging that NASA could not completely comply with the intent of the CAIB," the summary stated. "As with most accident boards, the CAIB set a high standard, perhaps one that was not achievable within the technology, funding, and schedule available to the Space Shuttle Program."³²⁶ This summary did not contain the dissent written by Crippen and others, who did not feel the need to make it public before the return to flight launch.³²⁷ Their

³²⁰ Thomas H. Maugh II, "Safety Concerns Delay NASA Shuttle Launch," *Los Angeles Times*, April 30, 2005.

³²¹ A.2 Additional Observation, Return to Flight Task Group Final Report, 202.

³²² John Schwartz, "Minority Report Faults NASA as Compromising Safety," *The New York Times*, August 18, 2005.

³²³ James Oberg, "Shuttle Panel Divided Over NASA Compliance: A case of late paperwork or something more serious," *MSNBC*, April 6, 2005.

³²⁴ NASA, "Space Shuttle Discovery Ready to Roll," June 9, 2005.

³²⁵ Return to Flight Task Group, "Return to Flight Task Group Executive Summary," June 28, 2005.

³²⁶ Return to Flight Task Group, "Return to Flight Task Group Executive Summary," June 28, 2005.

³²⁷ The dissenters only wanted their dissent included in the Task Group's final report, due out later that summer. At the very last meeting, Crippen and the dissenters strategized on how to ensure it would make it into the final

blistering twenty-page analysis, written before the flight of STS-114, was eventually added in the final Task Group report only after Griffin prevailed on Stafford and Covey to include it.³²⁸

Dissenting members of the Task Group contended that while NASA had improved shuttle safety, many of the institutional pathologies identified by the Columbia investigation were in evidence during the return to flight process. In the view of the dissenters, a lack of engineering rigor, schedule pressure, and reliance on past experience rather than engineering judgment permeated the decisions of shuttle management. The dissenters were particularly alarmed that *Discovery*'s intended launch date was not pegged to recurring evaluations of when safety modifications would be complete. Instead, they were based primarily on programmatic goals that in turn forced engineers to forgo many of the modifications their calculations indicated were necessary, or to achieve them through less than ideal engineering means.

The problem, in the dissenters' assessment, was not a failure of working level engineers to communicate the challenges they were facing to management, but rather management's finding what they were hearing as unacceptable to program goals. "Everyone is being heard," Task Group member Charles Daniel commented, but the "looming reality of burning money plus the hard cut off of 2010 put real fear in people that if they don't fly in a finite amount of time, pressure will mount to cancel the program." In the face of this pressure, "they go to get the bird off the ground," Daniel said.

Decision to Launch

With the Task Group dissent not yet public, NASA cleared *Discovery* for launch on June 24, 2005. The shuttle program officially ruled that the re-engineering efforts had reduced the probability of debris strikes to "acceptable levels."³²⁹ Columbia investigation chair Admiral Harold Gehman concurred with NASA's decision on grounds that he and his

report. Tensions had risen to high that they made a backup plan to publish it independently if stymied by the co-chairs. Rosemary O'Leary, *The Ethics of Dissent: Managing Guerrilla Government* (Washington: CQ Press, 2006), afterword on Return to Flight Commission.

³²⁸ John Schwartz, "Minority Report Faults NASA as Compromising Safety," *The New York Times*, August 18, 2005.

³²⁹ John Schwartz, "For NASA, Misjudgments Led to Latest Shuttle Woes," *The New York Times*, July 31, 2005.

Board colleagues never meant their report to be a “poison pill” that would prevent the shuttle’s flight if NASA made a concerted effort to improve safety flaws the Board identified. “We think that there is no reason they shouldn’t fly,” Gehman told reporters. He noted that the safety upgrades would make *Discovery*’s flight less risky than any other shuttle mission, even though “by any measure of ‘safe,’ this is not safe.”³³⁰

The first launch attempt on July 13 ended in an auspicious failure. An electrical short likely caused by one of the tank’s safety modifications damaged a sensor that measures the rate of fuel consumption in the hydrogen bladder of the external tank. Had the sensor and its counterparts failed in flight, the shuttle’s main engines could have exploded during their shutdown sequence. The failure was typical of unexpected interactions that occur when any part of a complex system is modified.

Discovery successfully launched at 10:39am on July 26, 2005, but the liftoff did not go as hoped. Two and a half seconds into flight the external tank sustained a hit from a large bird. Then just after solid rocket booster separation, a large chunk of foam detached from the PAL ramp, swung towards the orbiter, and just missed impacting the wing.³³¹ At 24 to 33 inches long, 10 to 14 inches wide, and several inches thick, it weighed about half as much as the piece of foam blamed for the loss of *Columbia*.³³² Twenty seconds later another large piece of foam dislodged from near the left bipod ramp. Both pieces likely exceeded the tolerance of the RCC panels. If shed seconds earlier, thicker atmospheric currents would have transported them directly into the wing.³³³ A review of the launch film revealed that six other pieces dislodged from the acreage tile, several of which approached critical limits. 907 days after *Columbia* fell from the sky, NASA indefinitely grounded the shuttle fleet once again.

3.4 NASA and the Politics of Reform

³³⁰ John Schwartz, “Facing and Embracing Risk as Return to Space Nears,” *The New York Times*, July 10, 2005.

³³¹ Still more foam debris came off. Around twenty seconds later, a smaller piece of foam separated from the external tank and apparently struck the orbiter’s right wing. Based on the mass of the foam, and the velocity at which it would have struck the wing, NASA estimated it only exerted one-tenth the energy required to cause potential damage. Laser scanning and imaging of the wing did not reveal any damage.

³³² William Harwood, “Fuel Tank’s Pre-Launch Foam Repair Under Scrutiny,” *CBS news*, August 5, 2005.

³³³ Many of the media reports on STS-114 only emphasize the potentially catastrophic nature of the PAL ramp debris piece, when in fact several other debris pieces could have produced an impact greater than the 400 foot-pounds RCC limit. For a more detailed review, see page 26 of the NASA in-flight anomaly investigation, Dr. R.G. “Corky” Clinton, “IFA Investigation Status PRCB SR2999,” a brief to the PRCB, September 1, 2005.

With all the elements of reform at hand, how did NASA fail to safely return the shuttle to flight? What accounts for the seemingly inertial capacity of the shuttle program to construct situations of failure, and what larger lessons about the dynamics of disaster and reform can be learned from the NASA case?

To answer these questions, it is informative to contrast two opposing characterizations of the return to flight process. Conventional wisdom at the time of launch held that several recommendations mandated by the Columbia investigation, including those for foam debris, tile repair, and orbiter hardening, proved unreasonable to fully implement in light of the time and resource constraints facing the shuttle program. Although the Return to Flight Task Group categorized NASA's implementation of these recommendations as unsatisfactory, shuttle management was justified in authorizing *Discovery's* launch because the cost of fulfilling them outweighed the reduction in risk they would yield. In the assessment of the NASA Administrator, a majority of Return to Flight Task Group members, and the former chairman of the Columbia investigation, existing re-engineering efforts made the shuttle safe enough.

In this interpretation, the foam debris event experienced during launch is an inevitable consequence of operating the most sophisticated flying machine ever devised. Rather than being the product of human error, flawed organizational practices, or external political pressure, the debris event that resulted from not removing the PAL ramp illustrates the inherent unruliness of complex technology, in which residual risks can never be fully eliminated.³³⁴ The NASA correspondent of the *New York Times* articulated this view when he wrote that "in the end, the old engineering maxim 'If it ain't broke, don't fix it' trumped vague misgivings about a part that had not shed any foam, as far as anyone knew, since 1983."³³⁵

Against this narrative stands a more nuanced interpretation, one that emerges from a detailed history of the organizational and political pressures acting upon NASA during return to flight process. This history, which includes the dissent by seven members of the Return to

³³⁴ This view, it should be noted, provides empirical confirmation of Charles Perrow's theory of normal accidents. The nature of technical systems, as Charles Perrow famously argues, is such that even with the best available knowledge, unforeseeable interactions will occasionally give rise to technical malfunctions that are in fact normal and unavoidable consequences of operating risky technology. See Charles Perrow, *Normal Accidents: Living with High Risk Technologies* (2nd ed.) (Princeton: Princeton University Press, 1999).

³³⁵ John Schwartz, "For NASA, Misjudgments Led to Latest Shuttle Woes," *The New York Times*, July 31, 2005.

Flight Task Group, highlights how NASA's own sense of mission, together with external political imperatives associated with the President's new space policy, hindered the application of rigorous engineering standards in the external tank project.³³⁶

The shuttle's return to flight is indeed a story of engineering at the limits, of NASA technicians at field centers collectively devising solutions to hazards identified by the Columbia investigation. But the decision to certify the *Discovery* for launch did not occur in a vacuum. In the quest for higher levels of safety, the shuttle workforce faced constraints imposed by both the limits of technical knowledge and by budget and schedule demands from above. NASA's rush to complete the International Space Station before the presidentially mandated 2010 retirement of the shuttle, along with the need to implement the Vision for Space Exploration, left tank engineers a small "trade-space" in which to work. The external tank project decided on technical modifications not on the basis of what would make the shuttle most safe, but rather on what could be completed and certified before the launch date mandated by NASA headquarters. The launch date drove the safety process, rather than the other way around. As Dr. Daniel said, "technical and programmatic solutions were often in conflict."³³⁷

These budget and schedule demands, far from being ordinary production pressures, were bound up with deeper symbolic and political ends of the national security state. The shuttle is not merely a science experiment. NASA's human spaceflight program, as the Vision for Space Exploration underlined, is a national asset employed by the President for both domestic and international purposes. The shuttle is a symbol of national power. Not returning it to working order in the prescribed interval would further undercut U.S. technological prowess.

A chronicle of the return to flight thus necessarily involves a layering of technical and political perspectives. The view from the workshop floor at the Kennedy and Johnson spaceflight centers and Michoud assembly plant must be considered in concert with that of top officials at Headquarters, Congress, and the White House. The interaction of all of these variables together with the symbolic and ideological meanings of the shuttle program influenced how programmatic concerns affected technical debates. Ultimately, this larger

³³⁶ See Appendix A, Return to Flight Task Group Final Report, August 17, 2005.

³³⁷ Interview with Dr. Charles Daniel, March 28, 2006.

constellation of ideological beliefs explains why NASA forged ahead in the face of technical analysis showing the shuttle had not met safety goals established by the Columbia Board.

The decision to launch in the face of outstanding safety concerns is even more striking when viewed in the context of the shuttle program's ultimate viability. A third fatal accident may well have triggered its end. At the very least, a fundamental evaluation of our goals in space, and the degree to which we as a society will tolerate risk to achieve them, would have ensued.³³⁸ It is therefore striking that NASA did not display a greater amount of risk-aversion in its corporate decision-making. The American imaginary of space, it seems, exerts a powerful effect over program managers and safety officials alike.

The Limits of Accountability

The twenty-five months between *Columbia's* final flight and *Discovery's* return to space constitute an extraordinary period of diagnostic and therapeutic intervention at NASA. The loss of NASA's second shuttle opened a period of intense learning and reflection about the technical, organizational, and political dynamics that drive the shuttle program. It was also a time characterized by resistance and antagonism as corporate NASA fought for control first with the Columbia Accident Investigation Board and then later with the Return to Flight Task Group.

After leading what became the largest accident investigation in history, the Columbia Board was ultimately successful at setting the terms under which the return to flight effort proceeded. NASA publicly accepted the Board's conclusions and geared its re-engineering effort to address the fifteen recommendations designated by the Board to be complete before the return to flight launch. The President answered the Board's call to devise a new national space policy that would establish when the shuttle would be retired. The Board's criticism that NASA was likely to spurn reform led to the creation of the Return to Flight Task Group, whose mission was to verify the shuttle program's compliance. Despite all these things, the Columbia investigation's critique of the way in which NASA is embedded in social ideologies and political relationships was insufficient to prevent their action from continuing

³³⁸ The acceptance of sacrifice for the sake of the cause is of course part of the motif of heroic explorer that propels space exploration. But at a certain point public opinion would surely shift.

to impinge upon safety considerations. The period of therapeutic intervention that followed the investigation was ultimately less successful than its diagnostic phase.

Without question, NASA made tremendous progress towards fulfilling the technical fixes mandated by the Columbia Board. In the judgment of all observers, NASA satisfied twelve of the fifteen return-to-flight recommendations. More broadly, the shuttle program initiated studies of its organizational culture and took steps to modify problematic aspects of it. But NASA did not succeed on the crucial matter of the three technical recommendations that directly addressed the physical cause of the *Columbia* accident. Many of the organizational pathologies noted by the Columbia Board re-appeared in engineering practice and management processes.

A number of findings about disaster investigations with far wider relevance than NASA can be discerned from the return to flight experience. Most of them concern structural constraints placed on the Task Group. At least four dynamics contributed to the Task Group's inability to address the complete spectrum of ideological, political, and organizational forces influencing NASA's technical decision-making. On a technical level, the Task Group lacked an investigative staff or ability to call upon an independent technical authority. In this way the Task Group was not an investigative commission per se, but rather an advisory panel dependent upon NASA to generate analysis in response to its queries. It therefore lacked the tools that the Columbia investigation employed to reach its own conclusions about shuttle program claims and, if needed, to prove NASA technical arguments demonstrably false.

The inability to confront NASA with independent analysis restricted the Task Group's credibility in the eyes of shuttle program engineers and outside observers. The dearth of investigative resources was in part a self-imposed restriction. When Task Group members found NASA's understanding of the mechanism of foam loss to be technically insufficient, their co-chair prevented them from commissioning an outside study that could have shed further light on what technical course of action would be best. The co-chair was merely staying true to the Task Group's stated charter as an advisory rather than an investigative body. By design, the Task Group was obligated to request analysis from NASA, not conduct it themselves or commission others to do so.

The Task Group, moreover, faced a different and more challenging epistemological problem than the Columbia investigation. It was not undertaking a forensic reconstruction of

an accident sequence to identify a specific cause. Its primary mission was to identify potential failure modes of a launch that had yet to occur. Instead of searching backward to find a single cause, there were many possible future failure modes to investigate, and the Task Group lacked the resources to evaluate them all with the level of detail that the Board subjected the foam strike hypothesis. With little agreement on how to focus their technical investigation of the re-engineered external tank surfaces, the Task Group was forced to spread its engineering resources widely. Unlike the Columbia investigation, which confronted NASA with positive proof of its engineering error by smashing an RCC panel in a foam shot test, the Task Group lacked a smoking gun and could only confront NASA with a strongly worded dissent. The lack of independent testing capabilities and presence of multiple potential failure modes precluded the evidentiary clarity the Columbia investigation was able to achieve.

At the organizational level, the Task Group had a seemingly simpler mission than the Columbia Board. Problematic aspects of NASA's organizational culture and political environment had already been identified. In some sense the Task Group functioned like a parole officer, monitoring its subject for compliance. Yet it was mostly unable to carry out this mission. It was not that the Task Group did not suspect NASA of improper behavior. The powerfully written dissent illustrates that the Task Group indeed had evidence at its disposal that NASA had exhibited problematic patterns of behavior. The inability of the Task Group as a whole to mount an organizational or ideological critique was partly the result of the reluctance of its co-chairs to move beyond technical matters. Their insistence upon focusing strictly on the return to flight recommendations meant, in the words of the seven dissenters, that the Task Group "missed opportunities to address enduring themes of dysfunctional organizational behavior that CAIB and other external evaluators repeatedly have found."³³⁹

The Task Group was also hindered by its very position as a temporary advisory body confronting an institution that held a privileged position in the national imagination. The political and symbolic economy that surrounds the human spaceflight program fueled a desire both within NASA and across the nation to see the shuttle return to flight. The President

³³⁹ Observations by Dr. Dan L. Crippen, Dr. Charles C. Daniel, Dr. Amy K. Donahue, Col. Susan J. Helms, Ms. Susan Morrissey Livingstone, Dr. Rosemary O'Leary, and Mr. William Wegner, Appendix A2, Return to Flight Task Group Final Report, August 17, 2005, 188-207.

himself tapped into this political currency with his campaign-like announcement of the Vision for Space Exploration, and sent First Lady Laura Bush to view the launch. All of these dynamics together meant that not even so stark a disaster as the *Columbia* accident, the ensuing media and congressional attention, and the efforts of the Task Group were able to rid the shuttle program of problematic behaviors. NASA got safer, but not safe enough. The Return to Flight Task Group thus illustrates limits to procedural notions of accountability in verifying reform.

Chapter 4

The Iraq Study Group

Virginia's 10th Congressional District runs west from suburban Washington, D.C. to the rural Shenandoah valley, where peach and apple orchards carry on an agricultural tradition that dates to pre-revolutionary times.³⁴⁰ Established in 1789, the district today encompasses Civil War battlefields, one of the East Coast's most visited national parks, and the grounds of the Central Intelligence Agency. Representing this diverse stretch of Northern Virginia in the 109th Congress was Frank Wolf, a sixty-six year old former Army reservist and lawyer who first won election in 1980. As one of the most vocal human rights supporters in Congress, Wolf was elected chairman of the House Appropriations Subcommittee with oversight for the Departments of State and Justice. It was in his capacity as committee chair that Wolf made his third trip to Iraq in August 2005.³⁴¹

The occupation was in its third year. Mounting casualties from insurgent violence and sectarian tensions had driven public support for the war to a new low. Although President George W. Bush's approval rating had reached 90 percent in the aftermath of the 9/11 attacks, it had fallen to 40 percent by the time of Wolf's trip.³⁴² The apparent lack of progress in Iraq was by now deeply troubling to the public and policymakers alike. Republican congressmen, a year away from midterm elections in which the war would be deeply unpopular with voters, began challenging White House assertions that the U.S. was successfully reconstructing Iraq's infrastructure and fighting the insurgency that had arisen. Shortly after Wolf returned from his trip, the once-hawkish Pennsylvania Democrat John Murtha broke with the President and called for a withdrawal of U.S. forces, a defection that led many other congressman to change their views on the war.³⁴³

Wolf later recounted that his own moment of doubt occurred as he toured a maternity ward in Tikrit, Saddam's hometown in the violent Sunni triangle northeast of Baghdad. When Wolf was told he wouldn't be allowed in to see the mothers and

³⁴⁰ Office of Congressman Frank Wolf, "Virginia's 10th District," November 25, 2008.

³⁴¹ Representative Frank Wolf, "Iraq-Afghanistan-Qatar: Trip Report," September 2005.

³⁴² "Bush Approval Rating at 40%," *CNN*, September 19, 2005.

³⁴³ Charles Babington, "Hawkish Democrat Joins Call for Pullout: GOP Assails Murtha's Demand to Leave Iraq," *The Washington Post*, November 18, 2005.

newborns without the presence of armed guards—a measure that caused him to call off the visit—he concluded that U.S. policy had failed.³⁴⁴ “We can’t be successful if we’re going in [a maternity ward] with pistols and weapons,” Wolf said.³⁴⁵

Wolf wrote in his trip notes that “the Bush administration needs to face the reality that a growing number of Americans are becoming skeptical” of its management of the war, and that, as Nixon said thirty years before, “mistakes have been made.”³⁴⁶ Wolf became convinced that a wide-ranging review of Iraq policy was needed, and that the only credible way to undertake it was to form an independent group insulated from the partisanship and ideology that permeated the Iraq debate in Congress.³⁴⁷ “This group,” Wolf wrote, “would help examine each and every operation in Iraq—from how we are dealing with the insurgency to the status of the thousands of reconstruction projects being undertaken in Iraq to what we are doing to improve America’s image in the region.”³⁴⁸ Its goal would be to offer “different perspectives in addressing what is a very complex issue.” He later framed his rationale for the review in medical terms, giving voice to the diagnostic analogy that underpins commissions. “If you had a serious illness, and you weren’t completely comfortable that everything was going the way you hoped, you’d certainly want to get a second opinion,” Wolf said.³⁴⁹

Fourteen months later, the Iraq Study Group—the second opinion Wolf called for—issued its report to the President in the cabinet room before announcing its findings before 250 journalists.³⁵⁰ Former Secretary of State James Baker and retired congressman Lee Hamilton served as its co-chairs. Granted access by the administration to all Iraq intelligence and senior civilian and military officials from the President on down, the study group effectively constituted a parallel foreign policy apparatus whose staff and volunteer advisory teams were equivalent in size to the National Security Council’s own Iraq directorate. The anticipation of its report

³⁴⁴ Gail Russell Chaddock, “How Iraq Panel Went from Obscure to High Profile: The Iraq Study Group’s Rise was Aided by a Rare Loosening of Official Washington’s Hold on the Reigns,” *Christian Science Monitor*, November 28, 2006.

³⁴⁵ Lindsay Layton, “The Story Behind the Iraq Study Group: How Va. Lawmaker Pushed for Panel,” *The Washington Post*, November 21, 2006.

³⁴⁶ Representative Frank Wolf, “Iraq-Afghanistan-Qatar: Trip Report,” September 2005.

³⁴⁷ Representative Frank Wolf, “Iraq-Afghanistan-Qatar: Trip Report,” September 2005.

³⁴⁸ Representative Frank Wolf, “Iraq-Afghanistan-Qatar: Trip Report,” September 2005.

³⁴⁹ Robert Dreyfuss, “A Higher Power: James Baker Puts Bush’s Iraq Policy into Rehab,” *The Washington Monthly*, September, 2006.

³⁵⁰ Michael Tomasky, “Better Late than Never,” *New York Review of Books*, Vol. 54, No. 1, January 11, 2007.

spurred the White House and Joint Chiefs of Staff to undertake their most detailed review of Iraq policy to date.³⁵¹ A month after the study group released its findings, the President ordered the war's most significant reversal of strategy.³⁵²

Rarely has a commission so profoundly influenced the paramount foreign policy issue facing the nation. When its report was released, more Americans approved of the Iraq Study Group's prescriptions than the President's policies, with an astonishing 79 percent supporting its key recommendation to gradually withdraw troops and reorient the U.S. mission to train Iraq's security forces.³⁵³

Despite its power to capture popular support, the study group's primary recommendations were soon superseded by the President's own plan, an escalation of troops known as the "surge."³⁵⁴ The surge disregarded key study group conclusions and led several of its members to view their efforts as a failure.³⁵⁵ Congress, however, wrote into law some of its other 70-plus recommendations, while the administration implemented still more—creating a complex picture of the study group's ultimate influence on U.S. policy.

How did an independent review called for by a single member of Congress gain power over an administration notoriously hostile to infringements upon executive power? What led the President, who knew the study group report commanded vast public support, to override its key recommendation? Most critically for the wider study of disaster investigations, how did the political dynamics of President Bush's second term, as well the study group's internal politics, shape its inquiry, its diagnosis of what had failed, and its recommendations for what could be salvaged from a war gone wrong?

In what will emerge as a major finding about the determinants of success in disaster investigations, the study group's lack of a robust staff would impose limits to its capacity to identify the political dynamics in Iraq that were to become consequential and to characterize the likely effects of increased U.S. military

³⁵¹ Thomas E. Ricks, "Pentagon May Suggest Short-Term Buildup Leading to Iraq Exit," *Washington Post*, November 20, 2006; and Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York, Simon & Schuster, 2008), 231-247.

³⁵² White House Press Release, "President's Address to the Nation," January 10, 2007.

³⁵³ Peter Baker and Jon Cohen, "Americans Say U.S. is Losing War," *The Washington Post*, December 13, 2006.

³⁵⁴ White House Press Release, "Fact Sheet: New Way Forward in Iraq," January 10, 2007 and National Security Council, "Highlights of the Iraq Strategy Review," January 2007, 11.

³⁵⁵ Dan Ephron, "Iraq Study Group: The Forgotten Men: Bush Ignored Many of the Key Baker-Hamilton Recommendations, But They're Not Dead Yet," *Newsweek*, January 29, 2007.

intervention on them. The study group furthermore became entangled in a series of partisan debates about its obligation to reveal preliminary conclusions in the run up to mid-term elections. As will become clear, the compromise that led to its formation placed political limits on its inquiry that members publicly observed but privately disregarded. The study group's ability to maintain a partial disconnect between the public and private framing of its mandate was a defining aspect of its success, illustrating how the diagnostic and democratic functions of commissions are at times in tension.

4.1 Advent of the Iraq Study Group

Turning Representative Wolf's call for an independent assessment of war strategy into an actual review of executive branch policy was not trivial; its success was by no means preordained. Congressional calls for high-level policy reviews are so frequent they hardly constitute news in Washington. The Bush administration's commitment to information control and executive prerogative, on full display during the 9/11 Commission proceedings, disposed it to be especially resistant to congressional scrutiny. Nor was Wolf an especially powerful member of the House. The relatively unknown Republican congressman who voted with his own party 88 percent of the time was not in control of a committee whose inherent power could compel the administration to immediately accede to such a review.³⁵⁶ How, then, did Wolf succeed, and what does this reveal about the politics of commissions investigating policy failures?

The political environment in late 2005 provided Wolf an opening. For the first time since the 2003 invasion, deteriorating conditions in Iraq, which sharply contrasted the Administration narrative of progress, solidified large-scale opposition to the war among democrats and independents. With U.S. casualties averaging close to 100 per month, the President's flagging political fortunes were a problem not only for Republicans generally but especially for members of the House and Senate facing re-election the next year. If Iraq were not to turn around in the near term, many members of Congress who supported the war were in danger of being voted out of

³⁵⁶ Open Congress, "Rep. Frank Wolf, Voting Trend Analysis," 110th Congress. Online at: http://www.opencongress.org/person/show/400435_frank_wolf, accessed November 25, 2008.

office. (Wolf was himself a moderate Republican in a district that was increasingly tilting Democratic.)

At the same time, a sense of general incompetence surrounded the Bush Administration. The bungled emergency response to Hurricane Katrina and handling of the fallout from 9/11 dove poll numbers to the lowest of his Presidency and opened the door to charges that the visible failures in Iraq resulted from policy mismanagement.³⁵⁷ These conditions, together with the muddled state of affairs in Iraq, raised the incentive for Congress to challenge the President over his war policy.

Beyond the political dynamics in Iraq and in the U.S. domestic sphere, Wolf's sheer motivation was certainly also a factor in the study group's success. Underlying Wolf's interest in Iraq policy was a fierce devotion to human rights in conflict zones the world over. During his congressional career he frequently traveled to refugee camps and visited hot spots—Darfur, Chechnya, and Algeria among them—to see conditions first hand, a trait that burnished his reputation among colleagues and helped earn him his chairman slot. Wolf had in fact traveled to Iraq twice before. Unlike his congressional colleagues, on those trips he traveled without military escort, hiding his identity to make use of the freedom of movement enjoyed by NGOs, who quietly took him places off-limits to official security details.³⁵⁸ “We dressed in old clothes. We lived with Iraqis. We went to all parts of the country,” Wolf said of his first two trips.³⁵⁹ The authenticity of his experience on these unauthorized tours gave him credibility to speak of the human costs of events transpiring abroad. He had been places and seen things that his colleagues never would.

The willingness to witness events first hand was not the only propensity that brought credibility to Wolf's calls for a review. During Clinton's second term, Wolf authored legislation creating the National Commission on Terrorism, an independent review of U.S. counterterrorism policy under the leadership of Paul Bremer, the State Department ambassador who later became U.S. proconsul in Iraq. The findings of this commission found special relevance after 9/11. Wolf had already demonstrated

³⁵⁷ Richard Benedetto, “Bush Approval Hits 39%, Lowest of Presidency,” *USA Today*, October 17, 2005.

³⁵⁸ Gail Russell Chaddock, “How Iraq Panel Went from Obscure to High Profile: The Iraq Study Group's Rise was Aided by a Rare Loosening of Official Washington's Hold on the Reigns,” *Christian Science Monitor*, November 28, 2006.

³⁵⁹ Mark Benjamin, “Condi's Iraq Surprise: In a secret end run around Cheney and Rumsfeld, the secretary of state pressed Bush to back the Iraq Study Group -- and change the course of the war,” *Slate*, November 17, 2006.

to his colleagues how an independent review could rise above partisanship and reach serviceable conclusions that become the basis for new policy—that deliberation by independent experts, the hallmark of commissions, can produce results.

Of course, not everyone shared Wolf's faith in the utility of independent reviews, and the commission he envisioned for Iraq initially seemed unlikely to transpire. Wolf first aired the idea in a September 2005 *Washington Post* op-ed.³⁶⁰ Seeking to elevate the issue further, he and five other congressmen wrote President Bush in November 2005 asking for an independent panel to “perform a comprehensive review” of the administration's Iraq plan.³⁶¹ The letter triggered more of a response. The White House invited Wolf to meet privately with members of the administration, including Secretary of State Condoleezza Rice, Secretary of Defense Donald Rumsfeld, and Vice President Dick Cheney. “Reaction was mixed,” Wolf said of his meetings with members of Bush's national security team. “Initially there was not a lot of support for the idea.”³⁶² Unsurprisingly, given his views on Executive power, Vice President Cheney was most resistant.³⁶³

By November 2005, Wolf's plan appeared to be dead in the water. Although he had received a hearing at the highest levels of the administration and garnered a modest amount of congressional support, the Vice President himself had announced his opposition to any sort of independent review. No one bought Wolf's argument that, “If you're so confident it's going well, why are you so afraid for someone else to take a look at it?”³⁶⁴

Stymied by the administration, Wolf turned to Washington's foreign policy establishment for help, pitching his idea for a review at prominent think tanks and research institutions. Among those Wolf consulted, David Abshire stepped forward to help. Abshire, who led the Center for the Study of the Presidency and Congress, was a longtime Washington insider who had served in several administrations as well as on one prominent commission. He called upon two of his colleagues to help lobby

³⁶⁰ Frank Wolf, “Fresh Eyes on Iraq,” op-ed, *The Washington Post*, September 24, 2006.

³⁶¹ Mark Benjamin, “Condi's Iraq Surprise: In a secret end run around Cheney and Rumsfeld, the secretary of state pressed Bush to back the Iraq Study Group -- and change the course of the war,” *Slate*, November 17, 2006.

³⁶² Robert Dreyfuss, “A Higher Power: James Baker Puts Bush's Iraq Policy into Rehab,” *The Washington Monthly*, September, 2006.

³⁶³ Robert Dreyfuss, “A Higher Power: James Baker Puts Bush's Iraq Policy into Rehab,” *The Washington Monthly*, September, 2006.

³⁶⁴ Robert Dreyfuss, “A Higher Power: James Baker Puts Bush's Iraq Policy into Rehab,” *The Washington Monthly*, September, 2006.

for the review, John Hamre, president of the Center for Strategic and International Studies, and Richard Solomon, president of the United States Institute for Peace, a congressionally-chartered research institute.³⁶⁵

The three men began searching for ways to overcome the administration's reluctance. "We were creating the study group to build a political middle," Solomon later said.³⁶⁶ Their idea was to attract two co-chairman with unimpeachable reputations, palatable to both the administration and Congress. The criteria were code for selecting consummate insiders. It is part of the culture of national security that only those with proven loyalties can be trusted to examine the inner workings of the military and foreign policy apparatus. With "safe" chairman selected, the review might be better received.

The three settled on asking Lee Hamilton, who had served in Congress for seventeen terms and successfully piloted the 9/11 Commission as its vice chairman, and James Baker, the former Secretary of State and Bush family confidant. Hamilton was seen as a sensible moderate trusted by both Republicans and Democrats, while Baker, who headed the legal battle during the Florida recount that secured the presidency for Bush, was perhaps the only Republican who could ensure White House cooperation.³⁶⁷ In preliminary inquiries that November, Hamilton reportedly accepted the overture immediately, while Baker said he would have to check with the White House first.³⁶⁸

By the end of November, the review had still not won favor with the administration. The quiet lobbying by Abshire, Hamre, and Solomon did not produce consensus. Nor were skeptical administration officials won over by the tentative agreement by Baker and Hamilton to serve as co-chairs. Without White House consent, the proposed review would not be granted access to administration

³⁶⁵ Abshire notably served in 1975 on the Murphy Commission on the Organization of the Government and also on several other oversight boards, including the President's Foreign Intelligence Advisory Board. See Center for the Study of the Presidency, "David Abshire, Biography," November 2008.

³⁶⁶ Lindsay Layton, "The Story Behind the Iraq Study Group: How Va. Lawmaker Pushed for Panel," *The Washington Post*, November 21, 2006.

³⁶⁷ Philip Shenon, "Lee H. Hamilton, a Compromiser Who Operates Above the Partisan Fray," *The New York Times*, December 6, 2006. Baker had also previously helped negotiate Iraq's debt relief. His role as an Iraq envoy raised allegations of a conflict of interest. See Naomi Klein, "James Baker's Double Life: A Special Investigation," *The Nation*, October 12, 2004.

³⁶⁸ Michael Tomasky, "Better Late than Never," *New York Review of Books*, Vol. 54, No. 1, January 11, 2007.

documents and officials it would need to succeed. “They could have stonewalled it,” Abshire said, “They could have killed it.”³⁶⁹

Serving Rice’s Purposes

On November 29, 2005, at the very moment Abshire, Hamre, and Solomon were poised to conclude their efforts, Secretary of State Condoleezza Rice summoned them to her office.³⁷⁰ Abshire, Hamre and Solomon pitched the idea of the Iraq review, and the names of the co-chairs. Although Rice had expressed skepticism in her earlier meeting with Wolf, this time she agreed to take the idea to the President. She did, however, impose one condition for her support: the group’s mandate had to look forward, not backward, keeping out of its purview the administration’s controversial early decisions about troop strength and postwar planning.³⁷¹ When the three men were departing her office, one of Rice’s aides added a second caveat. Under no circumstances, he said, was anyone at the Pentagon to be informed that Rice was taking their proposal to the President. The aide said that if Rumsfeld caught wind of developments, he and Cheney would scuttle the review before Rice could make the pitch.³⁷²

The aide’s instructions shed light on the increasingly strained relationship between Rice, Cheney, and Rumsfeld, and hinted at one of Rice’s motivations for pledging her support. That very month the war cabinet was locked in a disagreement over U.S. policy in Iraq. Secretary Rumsfeld, Vice President Cheney, and General George Casey, the long-serving ground commander, had supported a strategy of transition for more than a year, in which the military focused primarily on training

³⁶⁹ Mark Benjamin, “Condi’s Iraq Surprise: In a Secret End Run around Cheney and Rumsfeld, the Secretary of State Pressed Bush to back the Iraq Study Group -- and Changed the Course of the War,” *Slate*, November 17, 2006.

³⁷⁰ Mark Benjamin, “Condi’s Iraq Surprise: In a Secret End Run around Cheney and Rumsfeld, the Secretary of State Pressed Bush to back the Iraq Study Group -- and Changed the Course of the War,” *Slate*, November 17, 2006. The meeting recalled an earlier gathering in the months before the Iraq war when Rice served as National Security Advisor. Then, Hamre and the presidents of the Council on Foreign Relations and American Enterprise Institute met with Rice and her deputy Stephen Hadley to offer to help the administration forge a postwar plan. The potential collaboration had soured when the president of the conservative American Enterprise Institute demurred from participating because he concluded that the scale of postwar activity might constitute nation building, an activity his organization opposed. See George Packer, *The Assassins’ Gate: America in Iraq* (New York: Farrar, Straus, and Giroux, 2005), 111-12.

³⁷¹ Michael Duffy, “Bush Looks for an Exit,” *Time*, December 3, 2006.

³⁷² Michael Duffy, “Bush Looks for an Exit,” *Time*, December 3, 2006.

Iraqi security forces in hopes that the U.S. presence could be reduced as the Iraqi army and police matured. The persistence of the insurgency, however, led many strategists to suggest that the U.S. step up its security presence, rather than ready to leave. In their view, the transition to Iraqi control could only be achieved once the insurgency was defeated.

By the fall of 2005, high-level backing for a more aggressive counterinsurgency strategy materialized in the National Security Council and in the Office of the Secretary of State. The strategy became known as “clear-hold-build,” after a description of the succession of offensive and stability operations that would bring both military and civilian resources to bear in neighborhoods controlled by insurgents.³⁷³ Secretary Rumsfeld and General Casey opposed this strategy because it would require that a greater number of American troops assume an offensive posture, with higher casualties, and would shift the military’s focus away from transitioning security responsibility to Iraqi forces. In their view, only the Iraqis could now solve the security problem gripping the country.

The policy choice was an unmistakable recapitulation of earlier ideological debates, both before the war and during its early phases, about the extent to which the U.S. should engage in a sustained nation-building campaign versus liberating the Iraqis and then quickly withdrawing. The debate between “nation-builders” and “advocates of liberation” once again split the war cabinet and left overall U.S. strategy at an impasse, revealing that the fundamental axis that had riven the administration since the war’s beginning was still largely intact.³⁷⁴

In a bid to break the logjam, Secretary Rice testified in favor of the clear-hold-build approach before the Senate on October 19, 2005. The testimony was extraordinary. A sitting Secretary of State publicly broke with existing administration policy.³⁷⁵ Secretary Rumsfeld quickly rebutted Rice’s assertion, exposing in the process how the two cabinet members most responsible for managing the war had irreconcilable views on the way forward. “Anyone who takes those three words,”

³⁷³ Clear-Hold-Build is slightly different than the oil-spot strategy, in that it advocates a broader emphasis on creating safe havens simultaneously across all areas of operation by emphasizing civilian security, rather than selecting only some areas for intervention. Public Broadcasting Service, “Interview with Philip Zelikow,” *FRONTLINE*, February 6, 2007.

³⁷⁴ Public Broadcasting Service, “Interview with Philip Zelikow,” *FRONTLINE*, February 6, 2007; and interview with Philip Zelikow, former Counselor, U.S. State Department, June 26, 2008.

³⁷⁵ Condoleezza Rice, Secretary of State, Testimony before the Senate Foreign Relations Committee, October 19, 2005.

Rumsfeld said at a Pentagon press conference, “and thinks it means the United States should clear and the United States should hold and the United States should build doesn't understand the situation. It is the Iraqis' country. They've got 28 million people there. They are clearing, they are holding, they are building. They're going to be the ones doing the reconstruction in that country.”³⁷⁶

The President ultimately sided with Rice and put his seal of approval on the clear-hold-build strategy in a Veterans Day speech on November 11, 2005. Bush justified the new strategy as an adjustment in tactics that would help realize the strategic goal of a stable Iraq.³⁷⁷ The new strategy was slow to take hold, however, and continuing disagreements between key advisors in the Departments of State and Defense impeded its implementation.³⁷⁸ The White House had announced “Clear-Hold-Build” as official policy in the document “National Strategy for Victory in Iraq” the day after the Abshire-Hamre-Solomon meeting with Rice.³⁷⁹ But in the view of many commentators, the strategy was not sufficiently resourced, with adequate numbers of troops and funding for civilian operations, to be effective.³⁸⁰ Rice had won the debate only to lose control of the policy.

Only when seen in this context can the underlying politics that enabled the creation of an independent review be understood. Rice's alliance with Wolf, Hamre, Solomon, and Abshire was driven by much more than whether she thought the independent review they proposed would be helpful to the country at large. Rice was primarily motivated by an internal power struggle between cabinet members who were at loggerheads. She elected to enroll an independent review as an accessory in her own policy battle to deepen the U.S. nation-building posture in Iraq. The congressionally-inspired effort to seek out a new way forward on Iraq policy thus became an agent of Rice's policy ambitions, based on her knowledge that the counterinsurgency experts resident at CSIS and other think tanks largely agreed with

³⁷⁶ Department of Defense News Transcript, “News Briefing with Secretary of Defense Donald Rumsfeld and Gen. Peter Pace,” November 29, 2005.

³⁷⁷ George W. Bush, “President Commemorates Veterans Day, Discusses War on Terror,” November 11, 2005.

³⁷⁸ Public Broadcasting Service, “Interview with Philip Zelikow,” *FRONTLINE*, February 6, 2007; and interview with Philip Zelikow, former Counselor, U.S. State Department, June 26, 2008.

³⁷⁹ National Security Council, “National Strategy for Victory in Iraq,” November 30, 2005.

³⁸⁰ SIGIR Audit 06-034, “Status of the Provincial Reconstruction Team Program in Iraq,” October 29, 2006, GAO Report 06-788, “Rebuilding Iraq: More Comprehensive National Strategy Needed to Help Achieve U.S. Goals,” July 2006, 22-25, and Condoleezza Rice, Secretary of State, Testimony before the Senate Foreign Relations Committee, October 19, 2005.

her view of what U.S. strategy should be.³⁸¹ “We supported [the study group] strongly, especially during the formative period in late 2005 and into early 2006,” State Department Counselor Philip Zelikow said. “We thought that [it] could bring some other political forces into play that might help Congress and the American people understand the kind of commitment we might need to make to see this through.”³⁸²

The political dynamics between Congress and the Executive that provided Wolf’s original motive were not in themselves sufficient for the administration to capitulate to a review. Rice’s nascent opposition of the Cheney-Rumsfeld axis on Iraq policy proved to be a key precursor to the study group’s successful launch. Her backing of its creation constituted an insider-outsider linkage designed to enroll new allies in her bid to re-frame U.S. strategy. “Had she not bought into it,” Wolf said frankly, “it certainly wouldn’t have taken place.”³⁸³

From Earmark to Announcement

The day after the Abshire-Hamre-Solomon meeting, Rice persuaded the President by suggesting that it was in his interest to get behind an independent review that was likely to occur in any event.³⁸⁴ With the President’s approval, Wolf moved forward on the congressional front, working to establish legislation that would provide funding for the review. Rep. Christopher Shays, Sen. Joseph Biden, and Sen. John Warner, the powerful chair of the Senate Armed Services Committee, joined with more than twenty of their colleagues to support the study group’s creation.³⁸⁵

Despite bipartisan support in Congress for an independent review of Iraq policy, its institutional form took peculiar shape. Rather than establish a congressional commission by law, backed with power of subpoena and provisions for

³⁸¹ I am using agent here after the commission as agent and administrator distinction drawn by Fenster. See Mark Fenster, “Designing Transparency: The 9/11 Commission and Institutional Form,” *Whitepaper*, 12. Available online at: http://works.bepress.com/mark_fenster/6/, accessed November 23, 2008.

³⁸² Public Broadcasting Service, “Interview with Philip Zelikow,” *FRONTLINE*, February 6, 2007.

³⁸³ Mark Benjamin, “Condi’s Iraq Surprise: In a Secret End Run around Cheney and Rumsfeld, the Secretary of State Pressed Bush to back the Iraq Study Group -- and Changed the Course of the War,” *Slate*, November 17, 2006.

³⁸⁴ Michael Duffy, “Bush Looks for an Exit,” *Time*, December 3, 2006.

³⁸⁵ Robert Dreyfuss, “A Higher Power: James Baker Puts Bush’s Iraq Policy into Rehab,” *The Washington Monthly*, September, 2006.

a robust staff, the study group got its start as a budgetary earmark. To avoid a prolonged and potentially problematic negotiation over the study group's authorities and mandate, Wolf simply inserted two sentences into a supplemental appropriation bill funding the war that passed the house on March 13, 2006.³⁸⁶ The clause reads: "For an additional amount for 'Diplomatic and Consular Programs', \$1,380,500,000, to remain available until September 30, 2007: Provided that of the amount made available under this heading, \$1,326,000 shall be available for transfer to the United States Institute of Peace."³⁸⁷

The earmark looked nothing like the impending review of U.S. Iraq policy it funded in practice. To an uninformed observer, it appeared to be a run-of-the-mill grant to the U.S. Institute of Peace, one of the three institutions in alliance with Rep. Wolf. Funding the Iraq Study Group in this way had a number of consequences that would ultimately constitute the group's single largest shortcoming. Not defining the study group's mission in statute meant that it would lack the legal and administrative edifice of a federal commission and have no official standing in U.S. law. The commission would be part of neither the legislative nor the executive branch, would not have subpoena power, and would not be governed by any of the legislative or administrative regulations that apply to independent inquires. Neither Congressman nor members of the Executive branch would be eligible to nominate its members or formally oversee its activities in any way. Instead, the study group would be an initiative run by a congressionally-chartered research institute with no legal means of accountability beyond the rules that govern federal grants.³⁸⁸ It was a development that would prove to have far reaching implications for understanding what makes disaster investigations successful.

Two days after Congress passed the supplemental, the study group announced its existence in a March 15, 2006 press conference in the Senate Armed Services

³⁸⁶ Wolf stated specifically in his interview with Jordan Tama that he resorted to an earmark to avoid a prolonged negotiation over its legal powers. Jordan Tama, "From Crisis to Reform: The Impact of National Security Commissions," doctoral dissertation, Woodrow Wilson School of Public and International Affairs, Princeton University, September 2009, 262. See also David Kirkpatrick, "An Earmark with an Impact," *The New York Times*, December 5, 2006 and Michael Tomasky, "Better Late than Never," *New York Review of Books*, Vol. 54, No. 1, January 11, 2007.

³⁸⁷ Emergency Supplementary Operations Bill, H.R. 4939, passed March 13, 2006.

³⁸⁸ For a summary of legislative powers granted to commissions, see Mark Fenster, "Designing Transparency: The 9/11 Commission and Institutional Form," Whitepaper, 12. Available online at: http://works.bepress.com/mark_fenster/6/, accessed November 23, 2008.

Committee hearing room.³⁸⁹ In addition to two co-chairs, the group's membership included eight prominent public figures—four Democrats and four Republicans each of sterling reputation, all of who had retired from public office. In keeping with panels that examine the national security state, it would be a prototypical commission of “wise persons” with unquestionable reputation and loyalty.³⁹⁰

Democrats

- Vernon E. Jordan, Jr., former advisor to President Clinton
- Sandra Day O’Conner, former Justice of the Supreme Court
- Leon Panetta, former White House Chief of Staff
- William J. Perry, former Secretary of Defense

Republicans

- Robert Gates, former Director, Central Intelligence Agency
- Rudy Giuliani, former mayor of New York City
- Charles S. Robb, former Senator from Virginia
- Alan K. Simpson, former Senator from Wyoming

Settling on the eight members had been difficult. Baker and Hamilton rejected every name proposed by Abshire, Hamre, and Solomon, and selected members entirely by themselves.³⁹¹ “You had to get a group not connected to the administration, people who were not going to be campaigning and who could come to a consensus,” Rep. Wolf said. “We wanted a bipartisan group, people senior enough that they weren't looking to get placed in a law firm or good job.”³⁹²

Highlighting connections between who is chosen to see on behalf of the public and what is seen, the group's membership foreshadowed its focus on defects in U.S. institutions over engagement with Iraqis and the politics produced by the occupation.

³⁸⁹ Office of Frank Wolf, “Statement Of Rep. Frank Wolf (R-VA) On The Creation Of The Bi-Partisan Iraq Study Group, Which Evolved From His Idea For “Fresh Eyes On The Target,”” March 15, 2006.

³⁹⁰ Gail Russell Chaddock, “How Iraq Panel Went from Obscure to High Profile: The Iraq Study Group's rise was aided by a rare loosening of official Washington's hold on the reins,” *Christian Science Monitor*, November 28, 2006.

³⁹¹ Michael Duffy, “Bush Looks for an Exit,” *Time*, December 3, 2006.

³⁹² Lindsay Layton, “The Story Behind the Iraq Study Group: How Va. Lawmaker Pushed for Panel,” *The Washington Post*, November 21, 2006.

Of its ten members, only Baker had substantial experience in the Middle East. Five had no significant foreign policy experience at all. Ideological divisions in the foreign policy community were also visible. Neoconservative advisors who had served as the war's intellectual vanguard were conspicuously absent, leading commentators to speculate that the group would reassert the views of the 'realist' school of international relations associated with the President George H. W. Bush.³⁹³

Lacking the hiring authority and budget of a federal commission, the study group drew its institutional support from an unusual public-private collaboration. The U.S. Institute of Peace partnered with Hamre's Center for Strategic and International Studies (CSIS) and Abshire's Center for the Study of the Presidency, as well as the James A. Baker Center for Public Policy at Rice University. Washington had never before seen sensitive national security policy, let alone war strategy, investigated outside an official framework sanctioned by Congress or the Executive branch. At the press conference announcing the group, Senator Joe Biden emphasized its peculiar nature. "This is not a congressional commission. It is not an administration study group. It's an independent study group," Biden said.³⁹⁴ This hybrid structure was to have distinct consequences that only became apparent later.

That same day, Wolf repeated his unreconstructed optimism in the efficacy of independent reviews. "I am hopeful that this panel, comprised of honest, ethical, and experienced patriots will offer a realistic and frank assessment of the situation in Iraq, and will ultimately lead us to common ground from which we can move forward as a nation," Wolf said.³⁹⁵ Wolf was also unabashed in his view that the political dynamics in Washington made it unlikely that Republicans and Democrats would reach compromise by themselves. "It saddens me that in my 26 years of public service I do not think I have ever seen the country more divided, or Washington more partisan," Wolf said. The study group would become the antidote for the poisonous atmosphere Wolf described. "We need a bipartisan group of men and women of honor who love their country more than their political party to go to Iraq and provide

³⁹³ Several of them were later included as members of four expert groups that the study group later formed to help it with analysis. Robert Dreyfuss, "A Higher Power: James Baker Puts Bush's Iraq Policy into Rehab," *The Washington Monthly*, September, 2006.

³⁹⁴ U.S. Institute of Peace, Unofficial Transcript, "United States Congress Announcement of the Iraq Study Group," Senate Armed Services Committee Hearing Room, Russell Building, Room 236, March 15, 2006.

³⁹⁵ Office of Frank Wolf, "Statement Of Rep. Frank Wolf (R-VA) On The Creation Of The Bi-Partisan Iraq Study Group, Which Evolved From His Idea For 'Fresh Eyes On The Target,'" March 15, 2006.

an independent assessment. This panel,” he concluded, “is good for the country and good for the American people.”³⁹⁶

At the press conference, James Baker made clear that the effort had the blessing of the White House. “The administration as we understand it will welcome the effort. They will cooperate with our effort in terms of people and documents,” Baker said.³⁹⁷ Baker himself had sought permission from President Bush in person before formally agreeing to become co-chair.³⁹⁸ Baker and Hamilton then spelled out their mandate, as they viewed it. In an act of bounding the inquiry’s politics, their first point was to emphasize the study group’s forward-looking nature. “We will not be visiting past debates about Iraq,” Hamilton said. “We will leave that to the historians.”³⁹⁹ To try and “answer the question of what’s next in Iraq,” the group would focus its inquiry in four areas:

- The strategic environment in Iraq and the region;
- The security of Iraq and key challenges to enhancing security within the country;
- Political developments within Iraq following the elections and formation of the new government;
- The economy and reconstruction.⁴⁰⁰

The bargain struck with Rice had stuck. The study group would not, as part of its stated mandate, examine pre-war planning or early decisions about military strategy and troop strength. The adoption of this forward-looking frame, however, left the group in the difficult position of ignoring, or at least remaining officially ignorant of, the ideological split between the “liberators” and the “nation-builders” that had defined war policy from its inception and continued to underlie present

³⁹⁶ Office of Frank Wolf, “Statement Of Rep. Frank Wolf (R-VA) On The Creation Of The Bi-Partisan Iraq Study Group, Which Evolved From His Idea For “Fresh Eyes On The Target,”” March 15, 2006.

³⁹⁷ Mark Benjamin, “Condi’s Iraq Surprise: In a secret end run around Cheney and Rumsfeld, the secretary of state pressed Bush to back the Iraq Study Group -- and change the course of the war,” *Slate*, November 17, 2006.

³⁹⁸ Steven R. Weisman, “Baker, Bush Family Fixer, Will Advise President on Iraq,” *The New York Times*, April 23, 2006.

³⁹⁹ U.S. Institute of Peace, Unofficial Transcript, “United States Congress Announcement of the Iraq Study Group,” Senate Armed Services Committee Hearing Room, Russell Building, Room 236, March 15, 2006.

⁴⁰⁰ James Baker and Lee Hamilton, “Letter to Members of Congress,” April 7, 2006.

strategy debates. In this way political realities impinged upon the group's official diagnostic purview, limiting or at least appearing to limit its democratic obligation to secure an unmediated view of the state on the people's behalf.

4.2 Iraq Study Group at Work

With its funding and membership secured, Baker and Hamilton set about organizing the study group's staff and devising a means for supplying it with expertise, within their budgetary limitations. Not being a federal entity meant agencies and Congress could not assign government employees to work on a temporary basis. All of the group's staff would have to be hired or work as volunteers; some of them would require security clearances. The earmark of just more than \$1.3 million meant that after paying office rental fees and member travel expenses, little would be left for staff salaries. By comparison, the 9/11 Commission was funded by over \$15 million and included a staff of 80.⁴⁰¹ The Columbia Accident Investigation Board was even larger, with a direct budget of \$17 million and a staff of more than 100.⁴⁰²

With funds provided by the earmark, Baker and Hamilton hired a core staff of 14, not all of whom worked full time on study group business. The core staff consisted of two senior advisors and two special assistants drawn from Hamilton and Baker's personal staffs, three other advisors, and assistants for congressional relations, communications, and administration.⁴⁰³ Two of the staff had previously worked on the 9/11 Commission.⁴⁰⁴ The core staff would primarily tend to administrative responsibilities and the needs of the two co-chairs. It was not designed to conduct in-depth analysis in support of the study group's deliberations.

⁴⁰¹ Notably, the 9/11 Commission's initial funding was far lower and its request for further funds became a political issue in Congress, subjecting the Commission to Congressional control even after its formation. National Commission on the Terrorists Attacks on the United States, "Frequently Asked Questions About the 9/11 Commission," 2004 and Mark Fenster, "Designing Transparency: The 9/11 Commission and Institutional Form," Whitepaper, 38. Available online at: http://works.bepress.com/mark_fenster/6/, accessed November 23, 2008.

⁴⁰² NASA Office of the Inspector General IG-04-013, "Final Report on Internal Controls Over Columbia Accident Investigation Board (CAIB)," March 16, 2004.

⁴⁰³ James A. Baker III, Lee H. Hamilton, et al., *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 142.

⁴⁰⁴ Ben Rhodes and Chris Kojm, two of Lee Hamilton's assistants, both worked as professional staff members to the 9/11 Commission.

With a bare bones contingent of paid employees too small to perform needed research, Baker and Hamilton had to devise another means to generate the analysis and background papers necessary for an assessment of Iraq policy. This was achieved by the formation of expert groups on each of the four topics identified by Baker and Hamilton: Iraq's strategic environment, military and security issues, political development, and economy and reconstruction. A fifth group of retired flag officers from the military was also added. These expert panels, drawn heavily from staff at the four participating organizations, ultimately contributed 31 policy papers for the study group's review.⁴⁰⁵ The study group also expanded its core staff to include secretariats to each of the expert groups. Both study group members and the 44 members of the expert groups served without compensation.⁴⁰⁶

The arrangement had both advantages and drawbacks. On the one hand, the prestige of the review meant that it could attract some of Washington's top talent, who would willingly work without pay for the sake of being associated with the study group's efforts. Indeed, very few policy experts contacted by Baker and Hamilton turned down spots on the working groups. Relying mostly on personnel from outside government imposed limitations as well. Only a few of those in the expert working groups had spent substantial time in Iraq, and fewer still had regular access to the classified military and diplomatic reporting that those inside government rely upon as a primary source of information about the war. The groups also had few Arabic speakers or native Iraqis and largely replicated the study group's own disposition towards expertise in American government rather than Iraqi politics and culture. Nevertheless, the expert groups met the study group's early need for information on Iraq and gave them access to analytical resources far beyond what their budget could have paid for.

Secrecy in Theory and Practice

The study group's working arrangements and relationship with the public also had to be defined. In contrast to the 9/11 Commission and *Columbia* investigation, the study group held no open hearings and gave no regular updates to the media or

⁴⁰⁵ United States Institute of Peace, "Iraq Study Group Fact Sheet," December 20, 2006.

⁴⁰⁶ United States Institute of Peace, "Iraq Study Group Fact Sheet," December 20, 2006.

public. From the beginning, Baker and Hamilton were frank about their intention to work mostly behind closed doors. “We will conduct our study in the months ahead largely in private, though we do not rule out issuing interim reports or holding public meetings,” they wrote in a letter to Congress shortly after the study group’s formation.⁴⁰⁷ “We have not set a deadline for completion of our work, recognizing in part the fluidity of the situation in Iraq, but we will work expeditiously, and anticipate reporting to the Congress, the President, and the American people within a year.”⁴⁰⁸

To ensure that study group deliberations remained confidential, Baker imposed an “ironclad” gag order preventing all participants from commenting publicly.⁴⁰⁹ A regime of strict control existed, with information flowing up from the expert groups to the study group members but not back down from the members to the expert groups. Those working on the study group’s behalf had little idea of its deliberations or direction.⁴¹⁰ “He’s very secretive,” one observer said of Baker. “He keeps his distance, and he compartmentalizes everything, which is not a bad way to organize a political conspiracy.”⁴¹¹ The gag order at first extended to members of the expert groups working on a pro-bono basis. “Initially they wanted us to end all of our contacts with the media, make no statements, write no op-eds—in other words, become monks,” one working group member recalled. “Then they realized, how can you take the entire community of Iraq experts in the United States and have them all stop talking?”⁴¹² A revised rule forbid members and volunteer advisors from commenting about Iraq in any way that would reveal study group deliberations.

Under Baker and Hamilton’s leadership, a particular set of commission norms was at work in the Iraq Study Group. As legal scholars note, competing visions of how advisory commissions should function give rise to alternative prescriptions about their deliberative process. One model, embodied in part by the Federal Advisory Committee Act, suggests that open meetings and full disclosure of group membership and potential conflicts of interest, as well as committee debates, are the best way to

⁴⁰⁷ James Baker and Lee Hamilton, “Letter to Members of Congress,” April 7, 2006.

⁴⁰⁸ James Baker and Lee Hamilton, “Letter to Members of Congress,” April 7, 2006.

⁴⁰⁹ Robert Dreyfuss, “A Higher Power: James Baker Puts Bush’s Iraq Policy into Rehab,” *The Washington Monthly*, September, 2006.

⁴¹⁰ Conversations with Rick Barton, member of the economy and reconstruction expert group, spring 2006.

⁴¹¹ Robert Dreyfuss, “A Higher Power: James Baker Puts Bush’s Iraq Policy into Rehab,” *The Washington Monthly*, September, 2006.

⁴¹² Robert Dreyfuss, “A Higher Power: James Baker Puts Bush’s Iraq Policy into Rehab,” *The Washington Monthly*, September, 2006.

realize the public good. Transparency in this model is both procedural, in terms of processes used to schedule and run meetings, and disclosure based, in what parts of themselves and their business relationships advisory board members are required to make public.⁴¹³

Critics of the act, however, view its excessive formalities and requirements for disclosure as antithetical to the ability of advisory panels to deliberate and fact find outside the usual pressures of politics that so often curb the ability of government bodies to act.⁴¹⁴ In this alternative prescription of commission norms, imposing excessive transparency upon already distinguished public servants only handicaps their ability to swiftly and objectively consider issues and form a durable consensus about how to dispose them. The latter model emphasizes a commission's diagnostic function, giving maximum flexibility to its ability to see outwards without constraint. The former model emphasizes the need in democracies for citizens to see into the instrument of diagnosis, to ensure that a commission is truly seeing on their behalf.

The Iraq Study Group was caught between the need to see, and to be seen, in its evaluation of U.S. Iraq policy. The two imperatives of course are not unrelated. As was the case with 9/11 and the Columbia Board, being seen by the public helps cultivate a commission's legitimacy. Indeed, when asked whether the study group would carry the same weight as the 9/11 Commission, Hamilton replied, "I don't think any study group has immediate credibility. I think you have to earn it, and we'll do our best to earn that."⁴¹⁵

Congressman Wolf himself privileged the study group's need to "see" over its need to "be seen," and spoke out in support of Baker and Hamilton's decision to remove its deliberations from the public eye. "If they had held open hearings or gone on television talk shows, like the 9/11 Commission, they would have been forced into positions by the very nature of the questions," Wolf said. "They would have lost their

⁴¹³ Mark Fenster, "Designing Transparency: The 9/11 Commission and Institutional Form," Whitepaper, 10. Available online at: http://works.bepress.com/mark_fenster/6/, accessed November 23, 2008.

⁴¹⁴ Mark Fenster, "Designing Transparency: The 9/11 Commission and Institutional Form," Whitepaper, 11. Available online at: http://works.bepress.com/mark_fenster/6/, accessed November 23, 2008.

⁴¹⁵ U.S. Institute of Peace, Unofficial Transcript, "United States Congress Announcement of the Iraq Study Group," Senate Armed Services Committee Hearing Room, Russell Building, Room 236, March 15, 2006.

independence.”⁴¹⁶ The assumption that removing the group from day-to-day pressures ensured a better outcome than a fully transparent process nevertheless imposed limitations to the group’s ability to build credibility, and therefore legitimacy, among outside audiences. As will become apparent, the tight regime of control also curtailed information flow to the study group in crucial ways.

Deliberating as Iraq Deteriorates

With study group membership, staff, and operations finalized, Baker and Hamilton set about their task. Study group members, with a handful of staff in the room, held plenary sessions on nine occasions, usually convening in a conference room at the U.S. Institute for Peace for two days at a time.⁴¹⁷ When not in plenary sessions, Baker and Hamilton and their core staff consulted with a broader array of officials and experts than the full group received.⁴¹⁸

The protective veil Baker and Hamilton constructed around their activities was remarkably successful at preventing disclosures that have marked other high-profile policy reviews.⁴¹⁹ Not only did the group’s deliberations remain largely secret until their report was released, barring a few notable leaks in the final weeks, but the identity of who was meeting with the group also remained unknown until Hamilton

⁴¹⁶ Gail Russell Chaddock, “How Iraq Panel Went from Obscure to High Profile: The Iraq Study Group’s rise was aided by a rare loosening of official Washington’s hold on the reins,” *Christian Science Monitor*, November 28, 2006.

⁴¹⁷ United States Institute of Peace, “Iraq Study Group Fact Sheet,” December 20, 2006.

⁴¹⁸ Conversations with Benjamin Rhodes, Special Assistant to the Iraq Study Group Co-Chairs, Spring 2006.

⁴¹⁹ The study group retreated so far from public view in its first months that a single press release constituted its only public comment all spring. At the end of May, Rudy Giuliani, the popular former mayor of New York, who was by then beginning his campaign for President, stepped down from the study group. In a May 24, 2006 resignation letter, Giuliani explained that, “my previous time commitments do not permit me the full and active participation that the Iraq Study Group deserves.” A subsequent controversy arose about Giuliani’s true motives for leaving the group. The New York tabloid press noted that his absence from study group meetings coincided with paid speaking engagements and fund-raising obligations. Baker allegedly gave Giuliani an ultimatum to either attend all the group sessions or resign. The \$1.7 million Giuliani received for giving 20 speeches to various groups during the panel’s first months led critics to contend that he had put his personal financial needs over his commitment to the country’s foreign policy. Giuliani’s resignation was widely perceived as unwillingness by Baker to tolerate anything less than full participation, and full integrity, even from a fellow Republican presidential aspirant whose foreign policy credentials would be burnished by his association with the policy review. See U.S. Institute of Peace, “Edwin Meese Replaces Rudolph Giuliani on Iraq Study Group,” May 31, 2006, Craig Gordon, “Rudy Missing in Action for Iraq Panel: Giuliani’s campaign fundraising kept him from commitment to panel studying Iraq,” *Newsday*, June 18, 2006, and Fred Kaplan, “The Man Who Knows Too Little: What Rudy Giuliani’s Greedy Decision to Quit the Iraq Study Group Reveals about his Candidacy,” *Slate*, June 21, 2007.

and Baker released a list of consultations in mid-September.⁴²⁰ The list, which read as a “who’s who” of key figures on Iraq policy, was perhaps the best signal yet that the study group was realizing its ambitions for a high-level review. Releasing the list to the public in advance of the report’s release demonstrated that the study group had successfully gained access to officials, including the President, who were directly responsible for the formulation of military, reconstruction, and diplomatic policy. The presence of so many former officials indicated that the group’s review extended years into the past, even to the pre-war period.

In keeping with the norm of wide-ranging inquiry Baker and Hamilton set out for the group, the consultations with each witness were long, usually an hour or hour and a half, and allowed for extensive questioning and open discussion. Behind closed doors, Baker and Hamilton violated at least one of their own tenets. Although they pledged that their report would be forward looking, they often delved into past decisions while meeting with figures associated with early policy choices. During the meeting with former Secretary of State Colin Powell, Baker opened the session by asking why the U.S. invaded Iraq with so few troops—perhaps the most controversial decision made by Bush after the decision to go to war itself.⁴²¹ The focus on prior administration decisions demonstrated how the political boundaries that applied to the study group’s inquiry in public did not prevail in its own deliberations. Put differently, there was at least a partial disconnect between the public and the private framing of the study group’s investigative mission.

Events in Iraq soon began to exert their own framing power. As the study group’s deliberations began in the late spring of 2006, conditions in Iraq took a turn for the worse. The unraveling relations between Iraq’s Shi’a and Sunni communities profoundly influenced the group’s critique of U.S. policy and its recommendations for a way forward. Understanding the sequence of events in Iraq and its impact on the study group is essential to grasping how its members missed other dynamics that were strategically significant, and why the President ultimately rejected its primary recommendation.

⁴²⁰ U.S. Institute of Peace, “Iraq Study Group Consultations,” September 19, 2006. For an example of the late leaks that emerge in the study group’s final two weeks, see David E. Sanger, “Panel to Weigh Overture by U.S. to Iran and Syria,” *The New York Times*, November 27, 2006 and Peter Baker and Thomas E. Ricks, “Iraq Panel to Weigh Pullout of Combat Troops by ’08,” *The Washington Post*, December 1, 2006.

⁴²¹ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 47.

Figure 4.1

**Partial List of
Iraq Study Group Consultations**

** denotes meeting held in Iraq.*

Iraqi Officials and Representatives

- * Jalal Talabani - President
- * Tareq al-Hashemi - Vice President
- * Adil Abd al-Mahdi - Vice President
- * Nouri Kamal al-Maliki - Prime Minister
- * Salaam al-Zawbai - Deputy Prime Minister
- * Barham Salih - Deputy Prime Minister
- * Mahmoud al-Mashhadani - Speaker of the Parliament
- * Mowaffak al-Rubaie - National Security Advisor
- * Jawad Kadem al-Bolani - Minister of Interior
- * Abdul Qader Al-Obeidi - Minister of Defense
- * Hoshyar Zebari - Minister of Foreign Affairs
- * Bayan Jabr - Minister of Finance
- * Hussein al-Shahristani - Minister of Oil
- * Karim Waheed - Minister of Electricity
- * Akram al-Hakim - Minister of State for National Reconciliation Affairs
- * Abd al-Aziz al-Hakim - Shi'a Coalition Leader

Current U.S. Administration Officials

Senior Administration Officials

George W. Bush - President
Richard B. Cheney - Vice President
Condoleezza Rice - Secretary of State
Donald H. Rumsfeld - Secretary of Defense
Stephen J. Hadley - National Security Advisor
Joshua B. Bolten - *White House Chief of Staff*
Department of Defense / Military
General Peter Pace - Chairman of the Joint Chiefs of Staff
General John Abizaid - Commander, United States Central Command
* General George W. Casey, Jr. - Commanding General, Multi-National Forces Iraq
R. Nicholas Burns - Under Secretary of State for Political Affairs
Philip Zelickow - Counselor to the Department of State
* Stuart Bowen - Special Inspector General for Iraqi Reconstruction
James Jeffrey - Senior Advisor to Secretary Rice and Coordinator for Iraq Policy
David Satterfield - Senior Advisor to Secretary Rice and Coordinator for Iraq Policy
Zalmay Khalilzad - U.S. Ambassador to Iraq

Intelligence Community

John D. Negroponte - Director of National Intelligence
General Michael V. Hayden - Director, Central Intelligence Agency

Members of Congress

Senator William Frist (R-N) - Majority Leader
Senators Harry Reid (D-NV) - Minority Leader
Representative Nancy Pelosi (D-CA) - Minority Leader

Foreign Officials

Kofi Annan - Secretary-General of the United Nations
Tony Blair - Prime Minister of the United Kingdom

Former Officials and Experts

Bill Clinton - former President of the United States
Warren Christopher - former United States Secretary of State
Henry Kissinger - former United States Secretary of State
Colin Powell - former United States Secretary of State
George P. Schultz - former United States Secretary of State
Samuel R. Berger - former United States National Security Advisor
Zbigniew Brzezinski - former United States National Security Advisor

The event that cast a pall over study group deliberations took place three weeks before it was announced. On February 22, 2006, Al-Qa'ida terrorists destroyed the golden dome of the al-Askari mosque in Samarra, the revered Shi'a holy site on the east bank of the Tigris river. The bombing plunged Iraq into a frenzy of sectarian killing that claimed the lives of at least 1,300 Iraqis, mostly Sunni. In the month after Samarra, the rise in execution-style killings, which caused eight times the amount of deaths due to insurgent attacks, indicated a shift in the war toward civil conflict between Iraq's sects.⁴²² Iraq's history could be read in the hacked bodies of the dead. Tribal codes of retributive justice drove revenge killings, while the methods of torture and execution—power drills and severed heads—echoed Ba'athist practices.⁴²³

The spike in violence drew attention to the seemingly intractable hostility among Iraq's sectarian and ethnic political parties. The bombing came amid a deadlock over seating the new government. Members of the Shi'a, Sunni, and Kurdish factions, elected to Parliament under Iraq's newly ratified constitution, could not agree who should be named ministers. The United States, hoping to foster reconciliation between Shi'a and Sunni, refused to sanction the selection of Ibrahim Ja'afari, a divisive figure, as Prime Minister.⁴²⁴ As a result, the government remained unformed during the study group's opening months, diminishing still further the possibility that U.S. aims of a stable and self-governing Iraq could be achieved at all. The bombing also highlighted the inability of the U.S. military to keep order in a country roughly the size of California. The sectarian violence drove a quarter of a million Iraqis from their homes, hastening the segregation of Baghdad and south-central Iraq into separate Sunni and Shi'a enclaves.⁴²⁵

It was amid these deteriorating conditions that the study group convened. The possibility of civil war between Sunni and Shi'a loomed, the war's consequences mounted, and the military proved unable to contain the rising tide of violence—all during a period of open clashes between militias who were responsible for increasing bloodshed across the country. The diplomatic and military reporting from Iraq made

⁴²² 1,313 murders/executions, versus 173 deaths from VBIED/SVBIED. See transcript, Maj. Gen. Rick Lynch, MNC-I Weekly Press Briefing, March 30, 2006. Statistics from Slide 5, "Operations Summary 18 Mar – 24 Mar 06."

⁴²³ Victor Tanner and Anonymous, "Revenge Killings in Iraq: Nature and Extent of the Problem," USAID Office of Transition Initiatives, Baghdad/Washington, 2004 and Kanan Makiya, *Republic of Fear: The Politics of Modern Iraq* (Berkeley: University of California Press, 1998).

⁴²⁴ "U.S. Envoy 'Calls for new Iraqi PM,'" *British Broadcasting Corporation*, March 28, 2006.

⁴²⁵ See International Committee of the Red Cross, "Civilians Without Protection: The ever-worsening humanitarian crisis in Iraq," April 11, 2007.

it difficult to imagine more hopeful scenarios, forcing study group members to consider not only the best way to achieve U.S. strategic aims, but whether success in Iraq was possible on any terms. Events pushed the framing of the study group's inquiry from a technocratic evaluation of reconstruction and counterinsurgent tactics to the broader strategic question of whether or not to withdraw. The study group began to debate not only how U.S. power in Iraq should be exercised, but whether it could usefully be exercised at all.

Recommending Withdrawal

The study group's increasing concern about deteriorating conditions in Iraq soon collided with more optimistic assessments by administration officials. President Bush received the study group on June 13, 2006, the morning after he made a surprise visit to Baghdad to meet with Nouri al-Maliki, who was elected Prime Minister after a long period of stalemate. In his hour long meeting with study group members, Bush did not significantly move beyond what he had said about the war publicly and voiced almost no doubt about the course he was pursuing.⁴²⁶ Echoing the administration's "stay the course" war strategy, he told the assembled study group members, "it's going to work."⁴²⁷

The study group members themselves were less sanguine about the prospect for success. Robert Gates expressed concern that so much of U.S. policy depended upon Maliki taking actions potentially against his own interests. Alan Simpson, the plainspoken former Senator from Wyoming, asked the President whether he could find some way to talk with the governments of Syria and Iran. "Not talking doesn't work," Simpson told the President. "Doesn't work in marriages, doesn't work between governments."⁴²⁸ Although they found the meeting fairly uninformative, the group did coax a surprising concession from Bush. When asked whether he would be

⁴²⁶ Jonathan Finan and Michael Abramowitz, "In Baghdad, Bush Pledges Support to Iraqi Leader: Visit Aimed at Buttressing New Government," *The Washington Post*, June 14, 2006 and Sheryl Gay Stolberg, "After Iraq Visit, Bush Urges Patience," *The New York Times*, June 14, 2006.

⁴²⁷ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 58.

⁴²⁸ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 58.

open to study group findings, Bush insisted his administration would cooperate fully with the group's recommendations.⁴²⁹ It was a pledge the President would not keep.

The congressional leadership was more receptive to the study group's skepticism toward current policy. In a remarkably frank exchange, Senate Majority Leader Mitch McConnell told study group members that "I'd settle for Egypt," in reference to the U.S. client state whose autocratic government was certainly far from the vibrant democracy imagined for Iraq at the war's beginning.⁴³⁰

The study group's investigation phase culminated in a three-day trip to Iraq in late August 2006. It proved to be an experience that injected still further doubt into members' assessment of whether U.S. troops could succeed in bringing about a truce between the warring factions and achieve the strategic goal of a democratic, self-reliant Iraq.

Seeing the occupation first-hand jarred study group members. Blast walls, gun emplacements, bunkers, and armed guards, even in the middle of the U.S.-secured Green Zone, spoke to the ongoing threat of attack. The study group arrived in Baghdad at a time when a new coalition plan to contain the explosion of sectarian violence in Baghdad appeared to be failing. In September, the levels of violence moved military officials to begin digging a ditch around Baghdad's sixty-mile circumference to control entry to the city through 28 checkpoints.⁴³¹

To many of its members, the series of meetings held by the study group in Iraq illustrated the inability of Iraqi politicians to grapple with the problems they faced. Prime Minister Maliki asserted—improbably—that the terrorists were on the run. National Security Advisor Mowaffak al-Rubaie essentially condoned violence by Shi'a militias as a necessary defense against Sunni insurgents. Deputy Prime-Minister Barhim Salih blamed Iraq's woes on Iranian involvement. Minister of Finance Bayan Jabr alleged that corruption was no longer a problem. The reconciliation between Shi'a and Sunnis seen as necessary for success by the U.S. military leadership was viewed by Abdul Aziz al-Hakim, leader of the largest Shi'a party, as not urgent and potentially not possible. The interview with Hakim raised concerns among study group members about the extent to which Iraqi politicians

⁴²⁹ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 58.

⁴³⁰ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 81.

⁴³¹ Ed Wong, "Iraqis plan to ring Baghdad with trenches," *The New York Times*, September 16, 2006.

viewed violence as an inevitable tool of politics, opening a window onto why the U.S. effort was bogged down three years into an occupation that the Bush administration had never fully anticipated.⁴³²

The most revealing moment of the study group's trip came after one of its members left the safety of the Green Zone. Charles Robb, who served two tours in Vietnam, and who was the only study group member to depart the ground of a U.S. base, returned from a tour of Baghdad astonished at the lack of discipline in both the Iraqi police and army. The extent to which U.S. troops provided support to Iraqi forces and the fact that the Iraqi people trusted U.S. forces more than their Iraqi counterparts shocked Robb, who expressed his concerns in study group meetings.⁴³³ To the former Marine platoon leader, the effort to secure Iraq seemed even more daunting than his mission in Vietnam. Hamilton returned to the U.S. thinking that there wasn't an optimist among them—that intractable Iraqi political issues, underperforming U.S. institutions, and geopolitical dynamics had doomed the U.S. effort.⁴³⁴ Events forced the commission initially chartered to troubleshoot the execution of the U.S. approach in Iraq to contemplate the scope and pace of a withdrawal.

4.3 “Keeping Out of Politics”

Reframing the Iraq problem around the question of withdrawal triggered a dilemma for the study group. By the time members returned from their trip to Iraq, the mid-term election cycle was in full swing. The President and his war cabinet were by now continually fending off attacks levied by Democrats and a growing number of Republicans who viewed White House mismanagement of the war as the primary reason for the U.S. predicament in Iraq. Many more congressmen championed withdrawal as a necessary step than when the study group began.

As its members retired to deliberate, it was clear that their view of Iraq strategy was at odds with the White House. However their final recommendations

⁴³² For a vivid account of the Study Group's trip to Baghdad, see Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 110-121.

⁴³³ For a vivid account of the Study Group's trip to Baghdad, see Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 110-121.

⁴³⁴ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 123.

took shape, the therapeutic interventions they were likely to prescribe would be unpalatable to the President, and possibly also electorally devastating to congressional Republicans, if made publicly known. The study group's function as a diagnostic instrument, meant to discern the best course for U.S. policy, was once again in tension with its democratic function as a body that sees on behalf, and reports to, the public.

Amidst the electoral fervor, Baker and Hamilton called a press conference on September 19, 2006 to brief the public on their trip to Iraq. At stake was the possibility that the study group would signal its position on whether it would suggest withdrawal. Any indication that the study group disagreed with the President's "stay the course" policy would have electoral consequences. As Baker and Hamilton took the podium at the U.S. Institute of Peace, all of official Washington tuned in.

From the outset of their press conference, Baker and Hamilton moved to cordon off questions about the substance of the study group's findings and deliberations. "Primarily this press conference is intended to give you an update on procedure and on process," Baker said. Hamilton did read a brief statement of steps the study group hoped the government of Iraq would take in coming weeks, and the U.S. Institute of Peace released a list of the individuals the study group had met with. But for the duration of the press conference, Baker and Hamilton stuck to their script of revealing nothing about their coming report's findings or recommendations. They also made clear that the report would only be released after the mid-term elections.

Baker and Hamilton's rhetoric deliberately positioned the inherently political institution they led as an entity that needed to remain "apolitical" to be effective. Baker couched the decision to release the report only after midterm elections as a matter of "keeping out of politics." "We think it's important that whatever report we bring forward is taken, to the extent we can take it, out of domestic politics," Baker said. "We think it is extremely important that this not be seen a political exercise."⁴³⁵

The study group of course did not exist outside politics—rather Baker and Hamilton were trying to frame the study group as above the usual partisan give and take between the President and opposition party. In so doing, they were servicing the political needs of congressional Republicans even as they endeavored to provide a national solution to the Iraq debate. The original bargain struck with Secretary Rice

⁴³⁵ U.S. Institute of Peace, Audio, "Iraq Study Group Press Availability," September 19, 2006.

not to use the inquiry to persecute the administration proved to endure almost a year later, and also to extend to the President's political equities vis-à-vis Congress.

Not everyone received Baker and Hamilton's refusal to discuss their deliberations as an understandable or even acceptable way of discharging their responsibilities. "As a general rule, it's a bad idea to call a news conference if you have nothing to say," the noted journalist Dana Milbank wrote in the next day's *Washington Post*. "It's worse if you announce that answers are urgently needed but then decline to provide any."⁴³⁶

Political commentators were not the only ones who viewed Baker and Hamilton's attempt to take the study group "out of politics" as itself a political act. After Baker spoke about Iraq in a round of high-profile media interviews marketing his autobiography, artfully titled "Work Hard, Study...and Keep Out Of Politics!," Senator Barbara Boxer (D-Calif.) suggested that he disclose the study group's preliminary recommendations before the election.⁴³⁷ "Judging by recent interviews you have given in the press, it appears that the Iraq Study Group has made some initial judgments that would be a departure from the administration's failed policies," Boxer wrote Baker. "If this is indeed the case, I urge you, in the strongest possible terms, to publicly release them so that the administration can see that the status quo is unacceptable. This could be done through an interim report or through public meetings—both of which were contemplated by the Iraq Study Group in its April letter to Congress."⁴³⁸

After Baker declined, Senator Boxer intensified her appeal in a second letter that made an argument from the national interest. "The Iraq Study Group is contemplating important policy changes that could immediately begin to save lives in Iraq. Even if the Iraq Study Group has not yet achieved a final consensus on these policy changes, any idea that could save the life of just one American soldier in Iraq should be shared with the White House as soon as possible"

⁴³⁶ Dana Milbank, "This Just In: Iraq Study Group Has Nothing To Report," *The Washington Post*, September 20, 2006.

⁴³⁷ Baker appeared on *This Week with George Stephanopoulos* and the *Daily Show with John Stewart*, among other prime-time shows. See James Baker and Steve Fiffer, "Work Hard, Study...and Keep Out Of Politics!: Adventures and Lessons from an Unexpected Public Life, (New York: Putnam, 2006).

⁴³⁸ "Sen. Boxer calls on Former Secretary of State Baker to Release Initial Recommendations on Iraq War." *U.S. Federal News*, October 17, 2006.

“Clearly,” Boxer added, “it is time for the ten members of the Iraq Study Group to brief the President on its work thus far to formulate recommendations for a new course in Iraq.”⁴³⁹

As pressure intensified to release interim findings, Baker and Hamilton continued to rationalize withholding their preliminary conclusions as a necessary precaution against undue politicization, which would prejudice the ability of their report to bridge the partisan divide on Iraq. In further statements through the fall, Baker and Hamilton implied that the Iraq Study Group’s refusal to show its hand was in keeping with the normative and procedural values of an independent review. In drawing the boundary around their deliberations in this way, they avoided the wrath of the White House even as they angered the Democratic leadership in Congress. As a result of this careful balancing act, the study group now had at least six more weeks in which to conduct final deliberations. Once again, it disappeared from public view.

November Elections and Final Consultations

The mid-term elections, held on November 7, 2006, realized the fear of Republicans who suspected public dissatisfaction with the war would lead to large losses in both congressional chambers. The day after Republicans lost 27 seats in the House and six in the Senate, the White House announced the resignation of Secretary of Defense Donald Rumsfeld and named Robert Gates, a member of the study group, as his replacement. The summary firing of Rumsfeld and elevation of Gates was widely perceived in Washington as a precursor to a major change in Iraq policy that would draw on the study group’s emerging conclusions.⁴⁴⁰ The move further underwrote the study group’s credibility and raised expectations that its report would chart a new course, to be carried out by Gates, who would soon be in place inside the Pentagon.⁴⁴¹

⁴³⁹ “Boxer Again Implores Iraq Study group to Release Initial Recommendations,” *State News Service*, October 24, 2006.

⁴⁴⁰ David E. Sanger, “After Rumsfeld: Bid to Reshape the Brain Trust,” *The New York Times*, November 10, 2006.

⁴⁴¹ Former U.S. Secretary of State Lawrence S. Eagleburger replaced Gates as a member of the Iraq Study Group. U.S. Institute for Peace, “Former U.S. Secretary of State Lawrence S. Eagleburger Replaces Robert Gates on Iraq Study Group,” November 10, 2006.

The election at first seemed to foster a new political mood in the White House. In a press conference held the day after voters carried their dissatisfaction into the voting booth, the President signaled his willingness to consider new options in Iraq. He was “looking forward” to consulting with the congressional leadership and Iraq Study Group over war strategy and was willing to “listen to their views on the way forward.”⁴⁴² It was a striking moment for a President who rarely communicated self-doubt in public settings.

It was in this altered political atmosphere that the study group held a final consultation with the President on November 13.⁴⁴³ Vice President Cheney, National Security Advisor Stephen Hadley, and White House Chief of Staff Josh Bolton joined the session. Unlike his demeanor at the press conference a week before, the President was defensive of his war strategy and signaled an unwillingness to entertain new views. He did not reveal to study group members or to the press that he would soon order the National Security Council and Joint Chiefs to begin their own detailed strategy reviews, unconstrained by any limits on what could be considered, including withdrawal.⁴⁴⁴ “He was not seeking advice from us,” former Secretary of Defense Bill Perry said of the meeting. “He was telling us his view of the war.”⁴⁴⁵ However, “staying the course” was by now felt by study group members to come at too high a cost.

The study group was also briefed that day by CIA Director Michael Hayden, Secretary Rumsfeld, Chairman of the Joint Chiefs Peter Pace, Ambassador to Iraq Zalmay Khalilzad, and Secretary Rice, who had helped launch the study group one year before. Rice left them with a powerful final thought that reflected American impatience with Iraq’s sectarian politics. “These are people who wanted to be united,” she said of the Iraqi political leadership, “but they don’t want to be left in a room with each other.”⁴⁴⁶ After their long day at the White House, the study group retired to work on their draft report and discuss the remaining differences between them before settling upon final recommendations.

⁴⁴² The White House, “Press Conference by the President,” November 8, 2006.

⁴⁴³ “Bush to Meet With Iraq Study Group,” *Associated Press*, November 10, 2006.

⁴⁴⁴ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 183.

⁴⁴⁵ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 214.

⁴⁴⁶ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 221.

4.4 Iraq Study Group and the Politics of Policy Disaster

In little more than a year, the study group journeyed from the unsupported idea of a single congressman to a powerful political force of its own. The call for an independent review of Iraq policy had shot through a number of key passage points, any one of which could have prevented it from being realized. The first was a moment of great public doubt in the war strategy and in the competence of the President himself, giving Congress an opening to challenge the Administration. The respect accorded to Representative Wolf for his human rights activism, Rice's struggles in the cabinet, and the selection of two consummate insiders as co-chairs, together with this widespread discontent, enabled the realization of a historically improbable intrusion into the Executive branch's conduct of foreign policy.

The study group's success at undertaking a high-level review displays a number of features with broader relevance to the understanding of commissions and their investigation of policy failure. The experience of the study group foremost demonstrates remarkable flexibility in the ways commissions can operate. As the creation of an earmark, not an act of Congress, the study group had few formal powers. It nevertheless obtained full access to wartime intelligence and the administration policymakers who mattered. Unlike either the 9/11 Commission or the Columbia Board, the study group was able to command the public's attention even as it deliberately worked behind closed doors.

The study group's inquiry, although successful on many levels, was not without limits. The politics of its formation consisted of a bargain: the review could go forward, but the study group could not use its influence to publicly investigate prior administration decisions or to voice emerging opinions about war strategy during the highly-charged electoral season in which its deliberations occurred. The result of this bargain was an enduring tension between the study group's diagnostic and democratic functions.

The politics of policy disaster nevertheless exerted their own force. The public framing of the study group as a forward-looking body did not hold in private, and its members immediately moved to uncover the ideological and historical underpinnings of the administration's decision-making. Iraq's descent into sectarian

violence ultimately pushed members beyond the group's original framing as a re-evaluation of strategy and into a broader debate about whether to recommend a withdrawal. The administration, and the President especially, resisted this shift and continued to insist that the study group focus on prescribing closer-in corrections to tactics and implementation.

On the eve of issuing its report the study group appeared poised to recommend a dramatic shift from the President's "stay the course" mentality. Although the final test of its policy influence lay ahead, Baker and Hamilton managed to create a perception in Washington—helped along by events—that their report would be groundbreaking, perhaps even a turning point in the war. They were also able to maintain the cloak of secrecy until nearly the end. News of the report's release came less than a week before the press conference at which it was rolled out.⁴⁴⁷ The limitations of the study group's recommendations would become apparent almost immediately.

⁴⁴⁷ U.S. Institute of Peace, "Iraq Study Group Report to be Release on December 6, 2006." November 29, 2006.

Chapter 5

The Iraq Study Group's Policy Influence

Fourteen months after Representative Frank Wolf called for an independent review of U.S. policy in Iraq, members of the Iraq Study Group walked into the White House with their report in hand. It was just after sunrise on December 6, 2006. The President received them in the cabinet room.

The study group's call to begin a drawdown of troops would dominate Washington for more than a year. Even more so than its recommendation to begin a withdrawal, the study group's diagnosis of conditions in Iraq markedly reframed the national debate. The President, however, ultimately charted a course that the study group did not seriously consider, raising questions about whether it sufficiently explored all available policy options.

The report's reception unfolded at two levels. As the Congress and the President fought over whether or not to execute a withdrawal, familiar ideological divides, and ways of framing the war, reasserted themselves around the most contentious study group recommendations. At the same time the grand debate played out around the question of withdrawal, a number of the study group's other recommendations generated consensus, both among Republicans and Democrats and between Congress and the Executive branch. The implementation of these consensus recommendations nevertheless ran into varying degrees of resistance, and those that were implemented did not always produce the effect they were designed to achieve.

To arrive at an assessment of the study group's overall policy influence, and what its experience reveals about the politics of commission-driven reform, this chapter will trace the debate over withdrawal and the attempt to implement the study group's consensus recommendations. Three key findings will emerge: the importance of a robust professional staff to diagnose subtle but consequential political dynamics and predict the impact of further military interventions upon them; the path-dependent effects of the political compromise that establish independent reviews; and the limited ability of commissions to influence the policies and practices of something as large as the executive branch.

Spectacle of Release

The release of a high-profile commission report is by now a well-worn Washington ritual. Precisely staged photo-ops and obligatory pledges to give the report due consideration constitute visible symbols of the political leadership's receptivity to change. "This report will give us all an opportunity to find common ground...not for the good of the Republican Party or the Democratic Party, but for the good of the country," President Bush told reporters after being briefed on the report's conclusions.⁴⁴⁸

After meeting with the President on December 6, study group members traveled to Congress. Conscious of the spectacle playing out before them, capitol police "shooed away" a workman caulking the sidewalk so Baker and his entourage could pass unimpeded.⁴⁴⁹ "Congress and the administration must carefully review the recommendations and implement those that offer the best opportunity to improve U.S. engagement in the Middle East," the chairman of the House Intelligence Committee said.⁴⁵⁰ Underwriting the spectacle was the tacit assumption that the study group's report could function as a major turning point in the war. "There is almost a biblical thing about wise elderly people," Representative Wolf commented that day. "They can speak truth."⁴⁵¹

After a press conference held before hundreds of journalists, the report was made available for download on the U.S. Institute of Peace website and put on sale at bookstores nationwide. It was the second time a private press published an authorized version of a government report on the days of its release.⁴⁵² Replicating the 9/11 Commission's masterly use of a commercial publishing house as a political tool, the study group contracted with Random House to pre-position copies of its 142-page report in bookstores nationwide, to be sold for \$10.95. The move enabled a wider

⁴⁴⁸ The White House, "President Bush Receives Report from the Iraq Study Group," December 6, 2006.

⁴⁴⁹ David Montgomery, "Footnote to History: Rituals of Delivering the Iraq Report," *The Washington Post*, December 7, 2006.

⁴⁵⁰ "Iraq Report Well Received in Washington," *National Public Radio*, December 6, 2007.

⁴⁵¹ David Montgomery, "Footnote to History: Rituals of Delivering the Iraq Report," *The Washington Post*, December 7, 2006.

⁴⁵² Eugenia Levenson, "Publishing's Easy Money: Government Commission Reports Have Become a Highly Lucrative Business for Publishers, says Fortune's Eugenia Levenson," *CNN syndicating Fortune Magazine*, January 29, 2007.

distribution than the Government Printing Office could achieve, ensuring that Americans had the opportunity to see and read the report the day its release generated headlines. By making its report accessible to a wide audience, the study group intended to gain popular support and thereby political force for its findings and recommendations.

The Iraq Study Group report even looked like the 9/11 Commission report. The replication of the 9/11 Commission's cover design had a powerful visual effect, establishing something of a brand identity for trenchant government reports. The graphic handiwork was the deliberate creation of study group staffers who had previously worked on the 9/11 Commission.⁴⁵³

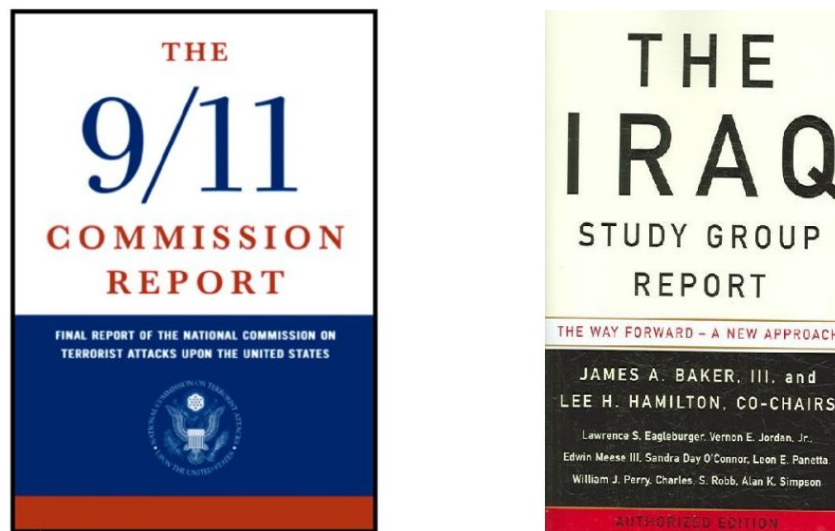


Figure 5.1 The 9/11 Commission and Iraq Study Group report covers.

The spectacle that played out on December 6, 2006 did not materialize on its own. Like other commissions who used the release of their report to generate political influence, the stagecraft was the deliberate creation of study group staff. More than 40 staff members from the public relations firm Edelman International supported the study group on the day of the release.⁴⁵⁴ The blue-chip firm had also been hired by the 9/11 Commission. Media handlers and former presidential advance personnel

⁴⁵³ Observation of Stephanie Kaplan, Managing Editor of the 9/11 Commission report, December 2006.

⁴⁵⁴ Jim Sydner, "Behind the Iraq Study Group, a brigade of PR," *The Hill*, December 13, 2006.

helped plot the study group's every move that day, down to the rented black vans that ferried members around town. The study group members themselves had laid the groundwork for the report's reception weeks earlier when they elected to meet with prominent members of the political media, all of whom later wrote about the report's release or mentioned it in their role as broadcast commentators. William Kristol of the *Weekly Standard*, *Washington Post* columnist George Will, *New York Times* columnist Tom Friedman, Mark Danner of the *New York Review of Books*, the *New Yorker*'s George Packer, and *Washington Post* military correspondent Thomas Ricks each had a private audience with the full study group in the month before the report's release.⁴⁵⁵ The unusually transparent effort at reaching elite opinion-makers, who do not normally serve as witnesses before high-level commissions, showcases the importance of public relations and media management in generating momentum for commission recommendations. Commissions exert influence not only through direct interaction with policymakers, but also by convincing media elites, and the public, of the correctness of their views.

The aggressive marketing strategy, all part of the study group's choreographed release, succeeded at drawing attention. Initial sales were so great that Random House resorted to using its own employees to ferry books from a Maryland warehouse to Washington bookstores.⁴⁵⁶ By 4 p.m. on December 6, 400,000 copies of the report had been downloaded and thousands sold.⁴⁵⁷ A month after its release, the report ranked fifth on the *New York Times* best-seller list for non-fiction paperbacks.⁴⁵⁸

5.1 The Report's Assessment and Recommendations

Understanding what the study group's experience reveals about the politics of disaster investigation requires a close examination of its diagnosis of Iraq, and the errors of interpretation contained within it. The report that descended upon official

⁴⁵⁵ James A. Baker III, Lee H. Hamilton, et al., *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 107-116.

⁴⁵⁶ David Montgomery, "Footnote to History: Rituals of Delivering the Iraq Report," *The Washington Post*, December 7, 2006.

⁴⁵⁷ David Montgomery, "Footnote to History: Rituals of Delivering the Iraq Report," *The Washington Post*, December 7, 2006.

⁴⁵⁸ The report was ranked number five for non-fiction paperbacks in January 2007. Dan Ephron, "Iraq Study Group: The Forgotten Men: Bush Ignored Many of the Key Baker-Hamilton Recommendations, But They're Not Dead Yet," *Newsweek*, January 29, 2007.

Washington began with an unusually blunt declaration: “The situation in Iraq is grave and deteriorating. There is no path that can guarantee success.”⁴⁵⁹ In the twenty-nine page assessment of the war that followed, the study group contradicted the administration’s narrative of slow but continual progress. On the security front, the study group found that U.S. forces did not have the upper hand on the insurgency. Although the U.S. could successfully “clear” neighborhoods, not enough U.S. or Iraqi troops were in country to “hold” them.⁴⁶⁰ Nor had the Iraqi government taken action on key elements of national reconciliation that might foster peace. Low-level Baath party members had not been integrated back into government and new provincial elections had not been scheduled.

Moreover, violence was significantly underreported by official U.S. sources. On a day the Pentagon reported 93 attacks, the study group noted the actual number exceeded 1,100.⁴⁶¹ As a consequence of the occupation, 79 percent of Iraqis had a “mostly negative” view of the United States, and an astonishing 61 percent approved of attacks on U.S. forces. “If Iraqis continue to perceive Americans as representing an occupying force,” the report noted, “the United States could become its own worst enemy in a land it liberated from tyranny.”⁴⁶² Nor was the U.S. in a diplomatic position to reverse its bad fortunes. Of the three vital powers brokers in the Shi’a community, “the United States is unable to talk directly with one (Grand Ayatollah Ali as-Sistani) and does not talk with another (Moqtada al-Sadr).”⁴⁶³

The study group essentially concluded that the U.S. was not winning because it was not up to the challenge it faced. On the crucial task of preparing Iraq’s security forces, “there is no clear Iraqi or U.S. agreement on the character and mission of the police.” The Facilities Protection Service, a security force the U.S. established to protect critical infrastructure, was described as “incompetent, dysfunctional, subversive,” akin to a “militia.”⁴⁶⁴ A mere 33 of 1,000 embassy employees speak

⁴⁵⁹ James A. Baker III, Lee H. Hamilton, et al., *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, xiii.

⁴⁶⁰ James A. Baker III, Lee H. Hamilton, et al., *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 12.

⁴⁶¹ James A. Baker III, Lee H. Hamilton, et al., *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 95.

⁴⁶² James A. Baker III, Lee H. Hamilton, et al., *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 35.

⁴⁶³ James A. Baker III, Lee H. Hamilton, et al., *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 14.

⁴⁶⁴ James A. Baker III, Lee H. Hamilton, et al., *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 10.

Arabic, only six fluently. Similarly, the Defense Intelligence Agency has fewer than ten analysts with more than two years of experience evaluating the insurgency.⁴⁶⁵ Lacking resources and political will, U.S. agencies and their personnel were simply overwhelmed by the challenges of building a new Iraqi state amid a violent insurgency.

After summarizing the study group's assessment of conditions in Iraq, the report described four courses of action then under discussion in policy circles: precipitate withdrawal, staying the course, more troops for Iraq, and devolution of the country to separate Shi'a, Sunni, and Kurdish regions. The study group rejected each of them for various reasons and then made clear that no easy solution was at hand. "Put aside those silver bullets," the co-author of the report commented after its release. "There is no one thing that can be done in Iraq to right the situation."⁴⁶⁶ A fifth option, called "The Way Forward-A New Approach," presented the study group's 79 recommendations on how to retool the U.S. approach.

Tellingly, the study group's first eighteen recommendations do not concern Iraq, but rather the notion that success is predicated upon "building an international consensus" for the U.S. mission there. The study group's sweeping geopolitical analysis identified the stalled peace process between Israel and Palestine as a root cause of anti-U.S. sentiment and called for newly invigorated regional diplomacy in service of Iraqi stability. The study group decisively broke with administration policy of insisting upon preconditions before engaging states it finds objectionable. With foreign fighters and material entering Iraq and Iraqi refugees flooding neighboring countries, the study group singled out the administration's unilateralist diplomatic philosophy as part of the reason why it was failing to achieve U.S. objectives in Iraq. It suggested that the administration undertake a "new diplomatic offensive" to engage a variety of actors, and listed Iran, Syria, the United Nations, and the European diplomatic community as potential partners in a new "Iraq Support Group."⁴⁶⁷

The second subsection, "The Internal Approach: Helping Iraqis Help Themselves," concerns the domestic scene in Iraq. Following its analysis of Iraqi

⁴⁶⁵ James A. Baker III, Lee H. Hamilton, et.al, *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 96.

⁴⁶⁶ Benjamin Rhodes, "Some Thoughts on the ISG Report," blog entry, *Partnership for a Secure America: Responsible Foreign Policy Through Bipartisan Action*, December 10, 2006.

⁴⁶⁷ James A. Baker III, Lee H. Hamilton, et.al, *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 43-58.

politics, the study group identified national reconciliation as crucial to peace but then suggested that Iraqis are unlikely to resolve political differences on their own. The report recommended a carrot and stick approach in which milestones are identified for the Iraqi government to achieve, with their fulfillment being a condition of continued U.S. support. Milestones include the passage of laws to divide petroleum revenues, the reverse of de-Baathification, the approval an amnesty agreement, and the holding of provincial elections.⁴⁶⁸ Each milestone was aimed at accelerating the resolution of fundamental political impasses perceived by the study group to be driving sectarian aggression.

Most consequentially, the study group called for the gradual withdrawal of troops and reorientation of the U.S. military mission toward training and equipping Iraqi security forces, and away from the public order duties that at that time consumed most of the force. The study group depicted a possible future in which combat brigades would begin to depart in the near term, even as the number of U.S. trainers increased. The study group imagined the training mission would conclude in the first quarter of 2008, after which U.S. forces would rapidly depart the country.⁴⁶⁹ To help ready the Iraqi government for its transition to self-reliance, it recommended a further commitment of \$5 billion in economic assistance per year focused on capacity development and job creation.

Twenty-nine additional recommendations concerned the underperformance of U.S. institutions. The report documented shortcomings in reconstruction, economic policy, and military operations. As was the case with the Columbia Board's findings, not all of its recommendations were technocratic or organizational in nature. Some were deeply cultural and political. The study group, for instance, cited a culture of mistrust at the Pentagon and the need for greater transparency in reporting the costs of the war and the violence it generated. So strong was the study group's language that the *New York Times* editorial board characterized it a reprimand to the Bush administration. The *Times* summarized recommendations 46, 72 and 78 as "Government officials should not lie to the public or each other, especially in matters of war."⁴⁷⁰ Although the study group called for significant adjustments in the

⁴⁶⁸ James A. Baker III, Lee H. Hamilton, et.al, *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 62-63.

⁴⁶⁹ "James A. Baker III, Lee H. Hamilton, et.al, *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 75.

⁴⁷⁰ "About Those Other Problems," editorial, *The New York Times*, December 10, 2006.

organization of U.S. government efforts in Iraq, it presented the recommendations directed at agency performance as secondary to the overarching imperative of regional diplomacy, milestones for the Iraqi government, and a drawdown of combat brigades enabled by accelerated training of Iraqi security forces.

Figure 5.2 The Iraq Study Group's three major recommendations:

1. "The United States, working with the Iraqi Government, should launch the comprehensive New Diplomatic Offensive to deal with the problem of Iraq and of the region. This new diplomatic offensive should be launched before December 31, 2006."
21. "If the Iraqi government does not make substantial progress toward the achievement of milestones on national reconciliation, security, and governance, the United States should reduce its political, military, or economic support for the Iraqi government."
43. "Military priorities in Iraq must change, with the highest priority given to the training, equipping, advising, and support missions and to counterterrorism operations."

The Study Group's Theory of Failure

It was a stunning diagnosis, and a sweeping indictment of the administration's foreign policy. "Iraq Panel Proposes a Major Strategy Shift," the *Washington Post* reported. The *New York Times* headlined "Panel Urges Basic Shift in U.S. Policy in Iraq."⁴⁷¹ As one commentator said succinctly, the report "has set in motion the logic of withdrawal."⁴⁷²

No other recent commission offered so numerous or detailed a set of prescriptions. Reflecting the breadth of national security institutions involved in the occupation, the study group nearly makes commission history with its total of

⁴⁷¹ David E. Sanger, "Panel Urges Basic Shift in U.S. Policy in Iraq," *The New York Times*, December 7, 2006.

⁴⁷² Michael Tomasky, "Better Late than Never," *New York Review of Books*, Vol. 54, No. 1, January 11, 2007.

seventy-nine separate recommendations, many of which run more than a page in length and have seven or eight sub-clauses.⁴⁷³ By comparison, the 9/11 Commission offered forty-one; the Columbia Accident Investigation Board twenty-nine.

The recommendations fall into four categories: geopolitical considerations, political dynamics at work in Iraq, the U.S. strategic direction in Iraq, and the performance of U.S. institutions assisting the Iraqi government.

Figure 5.2 Recommendations by Category

<u>Category</u>	<u>(# total)</u>	<u>Recommendation Number</u>
Geopolitics	(18)	1-18
Iraqi Politics & Institutions	(14)	26-33, 50-54, 59
U.S. Strategy	(18)	19-25, 34-37, 40-43, 64-66
Agency underperformance	(29)	38-39, 44, 45-49, 55-58, 60-63, 67-79

The theory of failure implicit in the study group's report reflected the dramatic events in Iraq that overshadowed its deliberations as well as the dynamics members witnessed first hand on their trip to Baghdad. High-levels of sectarian violence forced members to focus on Iraq's seemingly intractable political conflicts. Senator Robb's trip outside the Green Zone brought urgency to the need for the U.S. to increase its training of the Iraq security forces. Perhaps most of all, the inability of the U.S. military to stem the explosion of violence during the study group's nine-month tenure, despite multiple plans employing different approaches, is clearly reflected in the study

⁴⁷³ According to Jordan Tama's analysis of 41 national security commissions, the average number of recommendations is 42. Within this group there are individual commissions that issued 93 recommendations (the Commission on Roles and Missions of the Armed Forces), 68 recommendations (the Robb Silberman Commission), 76 recommendations (the Joint Security Commission), 81 recommendations (the National Defense Panel), 71 recommendations (the Packard Commission), 91 recommendations (the Inman Panel), and 127 recommendations (the Task Force on the United Nations). Jordan Tama, email to author, December 7, 2008.

group's judgment that U.S. forces alone cannot end the strife between Iraq's ethnic groups.

At the same time that the study group's theory of failure singled out the violence generated by Iraqi politics as a cause of the occupation's failure, it also implicated U.S. institutions. The largest subset of recommendations targeted underperforming U.S. agencies. At every turn, government institutions carrying out the nation-building mission seemed constitutionally incapable of doing their job. Iraqi dysfunction, in this way, was partly conceived of as a consequence of U.S. failure. The study group's focus on perfecting U.S. bureaucratic process revealed a faith in the interventionist capability of the national security state that not all critics shared. Advancing bureaucratic failure as a powerful explanatory factor over and above other dynamics, such as the inherent difficulty of occupying a foreign land, is in keeping with the known tendency of expert commissions to suggest technocratic solutions to what are at root political problems.⁴⁷⁴

5.2 Grand Politics of the Report's Reception

The study group's report touched off a political firestorm. By forcefully legitimating the views of those who doubted the prospects for success in Iraq, the study group appeared to create an opening for a major policy shift. "The report's assessment of where things stand in Iraq...destroys the credibility of the 'we are winning' White House school of thought and opens the door to an honest consideration of policy," the president emeritus of the Council on Foreign Relations wrote.⁴⁷⁵ To some, the report evoked Walter Cronkite's famous voicing of doubt on America's role in the Vietnam war.⁴⁷⁶ "We have been too often disappointed by the optimism of the American leaders, both in Vietnam and Washington, to have faith any longer in the silver linings they find in the darkest cloud," Cronkite told the American public in 1968. Although the study group did not use the word "stalemate," its report

⁴⁷⁴ Sheila Jasanoff, ed. *Learning from Disaster: Risk Management After Bhopal* (Philadelphia: University of Pennsylvania Press, 1994).

⁴⁷⁵ Leslie Gelb, "Good Politics, No Strategy: A Roundtable on the Iraq Study Group Report," *Foreign Affairs*, online roundtable, December 7, 2006.

⁴⁷⁶ James Fallows, "A Turning Point," *The Atlantic Monthly Online*, December 7, 2006.

implied that Cronkite's assessment from the front lines of Vietnam applied to Iraq in 2006 as well.⁴⁷⁷

The question was now whether the report's description of policy disaster would catalyze policy change. All signs indicated that a shift was possible. Popular support was on the study group's side. Seventy-nine percent of the public agreed with its recommendation to begin a gradual withdrawal and reorient the U.S. mission to train Iraq's security services.⁴⁷⁸ The day the Iraq Study Group released its report, the Senate confirmed Robert Gates as Secretary of Defense by a 95-2 vote, placing one of its own members at the helm of the department with the greatest ability to influence war strategy.⁴⁷⁹ Yet study group members themselves voiced awareness that their claim on the determination of events was limited. "This is not an ongoing commission," Justice Sandra Day O'Connor commented at the December 6 press conference. "It really is out of our hands."⁴⁸⁰ Added Hamilton, "the policymakers have to take over at this point."⁴⁸¹

The policymaker-in-chief had in fact already weighed in, and the President's ability to reframe the situation soon exerted itself. Responding to a leak of the report's conclusions while meeting with Iraqi Prime Minister Maliki on November 20, Bush said "this business about graceful exit just simply has no realism to it at all."⁴⁸² The President thus signaled his resistance to the report's overarching recommendation even before it was released.

Bush's insistence on seeing the war through surfaced again in his first press conference after receiving the report, held jointly with British Prime Minister Tony Blair on December 7, 2006. In contrast to Bush's contrite demeanor after the midterm elections one month before, when he signaled a willingness to consider new views, he largely repudiated study group recommendations. Although he said he had

⁴⁷⁷ Walter Cronkite, "Report from Vietnam," CBS News Broadcast, February 27, 1968.

⁴⁷⁸ Peter Baker and Jon Cohen, "Americans Say U.S. is Losing War," *The Washington Post*, December 13, 2006.

⁴⁷⁹ Jim Garamone, "Senate Confirms Gates as 22nd Defense Secretary," *American Forces Press Service*, December 6, 2006.

⁴⁸⁰ U.S. Institute of Peace, "Iraq Study Group Press Conference Transcript," December 6, 2006.

⁴⁸¹ U.S. Institute of Peace, "Iraq Study Group Press Conference Transcript," December 6, 2006.

⁴⁸² The White House, "President Bush Participates in Joint Press Availability with Prime Minister Maliki of Iraq," November 30, 2006.

“read it,” he went on to say that “Congress isn’t going to accept every recommendation in the report, and neither will the administration.”⁴⁸³

The next day, Bush clearly signaled his intentions to pivot away from the study group’s recommended course of action. “My administration is reviewing the report, and we will seriously consider every recommendation,” Bush said. “At the same time, the Pentagon, the State Department, and the National Security Council are finishing work on their own reviews of our strategy in Iraq. I look forward to receiving their recommendations. I want to hear all advice as I make the decisions to start a new course in Iraq.”⁴⁸⁴

The President was not alone in his disavowal of the report’s call for withdrawal. Neoconservatives stridently dismissed the report as a “surrender document.”⁴⁸⁵ “Iraq Panel Urges U.S. to Give Up,” headlined the conservative *New York Post*, which superimposed the faces of Lee Hamilton and James Baker on two chimpanzees labeled “surrender monkeys.”⁴⁸⁶ One of its columnists went so far as to compare James Baker to Pontius Pilate, the Roman prefect who ordered the crucifixion of Christ. “The difference is that Pilate just wanted to wash his hands of an annoyance, while Baker would wash his hands in the blood of our troops,” *Post* columnist Ralph Peters wrote.⁴⁸⁷

Accusations of surrender emanating from partisan Republicans was not the only reading of the report to emerge. Conservative commentators who opposed the study group’s call to restart the Arab-Israeli peace process charged that a report on Iraq is no place to advance proposals for how to handle Hamas and Hezbollah and the return of the Golan Heights to Syrian control.⁴⁸⁸ “The simplistic connection the ISG report makes between building peace in Baghdad and building peace in Jerusalem does not stand up to serious scrutiny,” a Heritage Foundation analysis concluded.⁴⁸⁹

⁴⁸³ Bush then ignored a question that asked him to acknowledge the failure of existing approaches, rebutted the call for direct engagement with Syria and Iran, and asserted his need to be “flexible and realistic” in drawing down troops. The White House, “President Bush Meets with British Prime Minister Tony Blair,” December 7, 2006.

⁴⁸⁴ ABC News World News Saturday, “War Plan; Bush Wants to Hear More,” transcript, December 9, 2006.

⁴⁸⁵ Media Matters, County Fair Media Blog, “Conservatives attack Iraq Study Group report as ‘surrender,’ ‘not a serious document,’” December 8, 2006.

⁴⁸⁶ Front page, *The New York Post*, December 7, 2006.

⁴⁸⁷ Ralph Peters, “Unwise Men Bear Gifts For Butchers,” *The New York Post*, December 7, 2006.

⁴⁸⁸ Leslie Gelb, “Good Politics, No Strategy: A Roundtable on the Iraq Study Group Report,” *Foreign Affairs*, online roundtable, December 7, 2006.

⁴⁸⁹ James Phillips, “Iraq Study Group is Wrong to Link Iraq to Israel,” *Heritage Foundation*, Web Memo #1290, December 19, 2006.

Conservative commentators were in essence rejecting the relevance of U.S. engagement in the Middle East to success in the Iraq occupation.⁴⁹⁰ Locating responsibility for failures in Iraq in the administration's diplomatic policies was thus contested along familiar ideological lines, with supporters of the administration and Israel being least inclined to agree with the study group's views.

The report's embracement of a classically *realpolitik* ends-means calculation over the evangelical promotion of democracy pioneered by the Bush administration constituted yet a third ideological divide across which the report's reception differed. Couching the report as a new front in an old war between competing schools of foreign policy, the *Washington Post* commented, "the Iraq Study Group report released yesterday might well be titled 'The Realist Manifesto.'"⁴⁹¹ James Baker himself encouraged the report to be viewed as expressing the ideological viewpoints of an earlier generation of foreign policy officials who favored wide diplomatic consultation without precondition and careful thinking about the costs of U.S. engagement. "For 40 years we talked to the Soviet Union during a time when they were committed to wiping us off the face of the earth," Baker told reporters.⁴⁹²

As the White House continued to signal its rejection of the study group's call for gradual withdrawal, the media narrative changed rapidly. What had been a chorus hailing the report as a turning point in the war on December 6th turned on December 7th into a story about how nothing was likely to change at all. "Bush Expresses Caution on Key Points in Iraq Panel's Report," the *New York Times* headlined.⁴⁹³ "I don't think I've ever seen politicians walk away from something faster," a former defense official said.⁴⁹⁴

At the same time that Bush was distancing himself from the study group's central recommendations, Baker was maneuvering in front of Congress, telling the Senate Committee on Foreign Relations that the White House should not treat the

⁴⁹⁰ How the study group can ask for Syria's cooperation into the investigation of assassinations in Lebanon that Syria itself likely committed was another point of critique. See Bret Stephens, "Realists to the Rescue?" *Commentary* 123, issue 2, Feb 2007.

⁴⁹¹ Glenn Kessler and Thomas E. Ricks, "The Realists' Repudiation Of Policies for a War, Region," *The Washington Post*, December 7, 2006.

⁴⁹² U.S. Institute of Peace, "Iraq Study Group Press Conference Transcript," December 6, 2006.

⁴⁹³ Sheryl Gay Stolberg and Kate Zernike, "Bush Expresses Caution on Key Points in Iraq Panel's Report," *The New York Times*, December 7, 2006.

⁴⁹⁴ Peter Baker and Jon Cohen, "Americans Say U.S. is Losing War," *The Washington Post*, December 13, 2006.

report “like a fruit salad.”⁴⁹⁵ Yet a day after the report’s release, the President’s reluctance to embrace its key recommendation entrenched the partisan way in which it was being received. The prominent military scholar Steven Biddle put his finger on the fundamental issue. “If the President is adamant about refusing to exit absent success as he defines it,” Biddle said, “no commission report or interagency review will make much difference.”⁴⁹⁶

The window for policy change that the study group appeared to open had seemingly slammed shut in less than 24 hours. “Part of the problem is that the expectation was so high,” panel member Vernon Jordan said. “The problem is there is no absolute correct answer.”⁴⁹⁷ Still another commentator suggested that expectations had been artificially raised by the mid-term elections. “No one paid attention to this until the fall when it became clear that the Republican majority was going to fall and Iraq was the issue over which Republicans would lose,” a Brookings Institution scholar said.⁴⁹⁸

Members of the Iraqi political leadership similarly viewed the report as a product of and for the U.S. political process. “It is a report to solve American problems, and not to solve Iraq’s problems,” said Ayad al-Sammarai, a Sunni politician.⁴⁹⁹ Iraqis particularly rejected the framing of success in Iraq as a product of the efforts of both the U.S. and Iraqi government, rather than as the primary responsibility of the country who began the occupation in the first place. As one commentator shrewdly observed, by setting out milestones for the Iraqi government to meet, the report subtly shifted responsibility for the decision to withdraw from Americans to Iraqis.⁵⁰⁰ The report could function in this way to rationalize a bipartisan decision to withdraw when the fragile Iraqi government proved unable to achieve the ambitious goals set out for it.

⁴⁹⁵ Sheryl Gay Stolberg and Kate Zernike, “Bush Expresses Caution on Key Points in Iraq Panel’s Report,” *The New York Times*, December 7, 2006.

⁴⁹⁶ Stephen Biddle, “Heading for the Exit: A Roundtable on the Iraq Study Group Report,” *Foreign Affairs*, online roundtable, December 7, 2006.

⁴⁹⁷ Peter Baker and Jon Cohen, “Americans Say U.S. is Losing War,” *The Washington Post*, December 13, 2006.

⁴⁹⁸ Ivo Daalder, a senior fellow at Brookings in Washington, as quoted in Gail Russell Chaddock, “How Iraq Panel Went from Obscure to High Profile: The Iraq Study Group’s rise was aided by a rare loosening of official Washington’s hold on the reins,” *Christian Science Monitor*, November 28, 2006.

⁴⁹⁹ Michael Tomasky, “Better Late than Never,” *New York Review of Books*, Vol. 54, No. 1, January 11, 2007.

⁵⁰⁰ Stephen Biddle, “Heading for the Exit: A Roundtable on the Iraq Study Group Report,” *Foreign Affairs*, online roundtable, December 7, 2006.

Over the course of a single 24-hour news cycle, the study group's much-anticipated report was effectively taken out of play by a few well-placed presidential remarks. As Washington awaited the results of the White House and Pentagon Iraq strategy reviews, conventional wisdom held that the study group's report was "dead on arrival."⁵⁰¹ Although the report would go on to have quite a life of its own, White House manipulation of expectations at the critical moment just before and after the report's release helped foster the widespread perception, in the media and in foreign policy circles, that little would come of the study group's efforts. The rapid swing in reception is thus a study in the exercise of presidential power and illustrative of how quickly deterministic narratives can form around commission reports. The pending announcement of Iraq strategy was to come just after the New Year.

Surge as Study Group "Blindspot"

The President unveiled his new Iraq strategy on January 10, 2007, a day after fierce fighting broke out off Haifa Street in Baghdad, 1,000 yards from the Green Zone.⁵⁰² In a nationally televised speech, President Bush announced a surge of 20,000 troops whose primary mission would be to establish order in the troubled capital.⁵⁰³ The new focus on population security was premised on the notion that stemming sectarian violence would enable Iraq's leaders to negotiate an enduring reconciliation.⁵⁰⁴ The addition of two Marine battalions in Anbar and five Army brigades in Baghdad would raise U.S. troop levels to 160,000—100,000 more than the study group envisioned remaining in Iraq by the end of 2007.⁵⁰⁵

The President's surge plan was in many respects a muscular fulfillment of the "clear-hold-build" strategy that Secretary of State Condoleezza Rice had mobilized the study group to help support after her disagreement with Secretary Rumsfeld in the

⁵⁰¹ "Dead on arrival" was one of the most frequently used phrases to describe the report in mid and late-December. See, for example, Peter W. Galbraith, "Pie in the sky' report won't fix Iraq," op-ed, *Boston Globe*, December 7, 2006 and Ed Laskey, "Baker's ISG: Shilling for the Saudis," *The American Thinker*, December 19, 2006.

⁵⁰² Marc Santora, "U.S. and Iraqis Hit Insurgents in All-Day Fight," *The New York Times*, January 10, 2007.

⁵⁰³ The White House, "President's Address to the Nation," January 10, 2007.

⁵⁰⁴ The White House, "Fact Sheet: New Way Forward in Iraq," January 10, 2007, 1. See also National Security Council, "Highlights of the Iraq Strategy Review," January 2007, 11.

⁵⁰⁵ The White House, "Background Briefing by Senior Administration Officials," Eisenhower Executive Office Building, January 10, 2007.

war cabinet in November 2005. The President's turnabout caused an ironic inversion. Contrary to Rice's expectations, the study group had not, in the end, advocated for the strategy she supported, on account of the substantial rise in levels of violence in the year since it was first proposed. Instead, the study group's views most closely approximated those held by Rumsfeld and General George Casey, the Iraq ground commander, who saw the intrusive American military presence as counterproductive to solving Iraq's underlying political and security problems.⁵⁰⁶

Study group members expressed dismay when briefed by National Security Advisor Stephen Hadley minutes before the President announced the surge plan. Leon Panetta interrupted Hadley to say that of their recommendations, "three were the heart and soul,"—gradual withdrawal, milestones, engagement of Syria and Iran—and that the President's plan disregarded each of them. "The gesture of respect failed to disguise the rebuff," concluded one report of the phone conference.⁵⁰⁷

Not only did the President dismiss the study group report even before it was released, he elected to follow a strategy that the study group acknowledged as being discussed in policy circles but one that it did not seriously consider. Although it would not be apparent for nearly a year and a half, the President's surge strategy was ultimately effective in reducing levels of violence. It was not the only factor that led to success in Iraq, but early histories of the occupation deem it to be a turning point.⁵⁰⁸

How did such a distinguished group of public figures, given access to the same intelligence the administration consumed, fail to describe the surge plan in their report as a viable option? What led the study group to miss seeing the emerging security dynamics that led the President's national security adviser to recommend an escalation of U.S. forces? How were the wise men caught by surprise, and what does this portend for the ability of commissions to diagnose problems, and recommend interventions, in the complex systems of the national security state?

⁵⁰⁶ General Casey is quoted as saying "The longer we in the U.S. forces continue to bear the main burden of Iraq's security, it lengthens the time that the government of Iraq has to take the hard decisions about reconciliation and dealing with the militias. And the other thing is that they can continue to blame us for all of Iraq's problems, which are at base their problems," as quoted in David Sanger, Michael Gordon, and John Burns, "Chaos Overran Iraq Plan in '06, Bush Team Says," *The New York Times*, January 2, 2007.

⁵⁰⁷ Dan Ephron, "Iraq Study Group: The Forgotten Men: Bush Ignored Many of the Key Baker-Hamilton Recommendations, But They're Not Dead Yet," *Newsweek*, January 29, 2007.

⁵⁰⁸ Special Inspector General for Iraq Reconstruction, *Hard Lessons: The Iraq Reconstruction Experience*, (Washington, D.C.: Government Printing Office, 2009), chapters 26-28.

The study group did briefly debate the concept of a surge. Senator Robb had been an early proponent of increasing troop levels, and insisted that it be mentioned as an option in the final report.⁵⁰⁹ However, the study group as a whole remained unconvinced that escalation would lead to wide-scale success, and it did not conduct a detailed analysis of whether the presence of additional troops would make the U.S. more effective in fulfilling its stated mission. The outcome of the debate between Robb and his fellow members is captured in the report's discussion of strategic options. In describing option three, "More Troops for Iraq," the study group clearly states its opposition to a sustained increase in force levels. "U.S. troops may help limit violence in a highly localized area," the report said. "However, past experience indicates that the violence would simply rekindle as soon as U.S. forces are moved to another area."⁵¹⁰ The study group's collective judgment was that a surge of troops, of whatever size and with whatever level of coordination with civilian reconstructions strategy, would not produce enduring effects or substantially impact national reconciliation.

What is striking in this study group's reading of political dynamics is not so much that it failed to predict the future course of political and military events in Iraq. Indeed, it did identify the pivotal development—national reconciliation—that had to occur for Iraq to stabilize, and a primary lever that policymakers could pull—a surge of troops—to try and achieve it. Rather, what is striking is that the study group did not consider the possible broader, symbolic effects a surge may have on other political processes playing out in Iraq and elsewhere, and how these together might be far more consequential to achieving a lasting stability between Iraq's warring political groups than the extra troops themselves.

In conceiving of the surge as primarily a projection of top-down military power, the study group missed how the renewed U.S. commitment articulated by President Bush could become a symbolic tipping point—much like President Ronald Reagan's famous invocation to "tear down this wall, Mr. Gorbachev"—that could help catalyze stability and reconciliation from the bottom-up.⁵¹¹ To the extent that the

⁵⁰⁹ For a brief history of Senator Robb's interest in the surge, see Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 138.

⁵¹⁰ James A. Baker III, Lee H. Hamilton, et.al, *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 38.

⁵¹¹ I am indebted to Sheila Jasanoff for this interesting potential analogy in the reading of local historical circumstances.

utility of crisis commissions stems from their ability to reread local circumstances in ways different than other observers, whether distant or near, the particular circumstances behind the study group's narrow and negative reading of the surge are worth exploring.

At least four factors contributed to the study group's failure to anticipate the surge as a plausible policy option or to imagine its broader implications on the political and security dynamics at play. The first and most obvious is that few serious observers of Iraq in 2006 imagined success would be possible there in any terms. Although the surge ultimately proved to be an intervention that, together with the Sunni awakening and Sadr cease-fire, brought greater levels of security to Iraq, it was a counterintuitive strategy that went against the instincts of analysts who had tried without success for three years to pacify Iraq, only to watch levels of violence careen further and further out of control. In this way the study group's views reflected conventional wisdom in the foreign policy establishment.

Nevertheless, several highly placed officials argued that a surge might work, suggesting that President Bush's decision to dispatch troops was more than an uninformed gamble. Importantly for establishing what makes commissions successful diagnostic instruments, the vantage point of surge proponents was different from the study group's in several respects. The example of Jack Keane is particularly instructive. A retired Marine general who went on record supporting the surge in 2006, Keane was its most vocal military advocate.⁵¹² In his capacity as a member of the Department of Defense Policy Board and confidential advisor to senior officials, Keane visited the front lines in Iraq several times a year. It was during these trips that he witnessed first hand the success of the military's counterinsurgency campaign in Tal Afar under Col. H.R. McMaster, whose tactical approach later formed the basis for the surge strategy. On the basis of this experience, Keane came to believe a country-wide surge of troops, as part of an expanded counterinsurgency strategy, might be effective in turning the tide of violence.

It is important to note that study group members were briefed about the campaign in Tal Afar. President Bush had publicly praised McMaster's example, and

⁵¹² Jack Keane and Fredrick W. Kagan, "The Right Type of Surge: Any Troop Increase Must Be Large and Lasting," op-ed, *The Washington Post*, December 29, 2006.

the local success he achieved was featured prominently in media accounts.⁵¹³ But unlike study group members, Keane had witnessed events in Tal Afar up close, rather than through briefing documents, and in Keane's opinion the modest dip in violence in a tiny town in Western Iraq took on a larger significance than the study group was willing to attribute it.⁵¹⁴ Structural constraints denied study group members this same vantage point, and it is here that the group's diagnostic shortcomings, and their larger implications for understanding crisis commissions, come into view.

The stature of the group's members, which served so many purposes in Washington, introduced restrictions to their information gathering in Iraq. Because elaborate security details would be necessary for trips beyond the Green Zone, its members were strongly discouraged from leaving U.S. bases or visiting places where combat was occurring. These security constraints caused Hamilton and Baker to demur from traveling across Iraq or interacting with military commanders in areas where aggressive counterinsurgency operations were underway. As a result, only a single member of the study group—Charles Robb—left the Green Zone during the group's three-day Iraq visit.

The inability to move freely around Iraq constrained the study group's ability to investigate another emerging trend that proved crucial to the success of the surge. In the late summer of 2006, it looked to some observers like a realignment of Sunni tribes in Anbar province was beginning, and that their loyalty was up for grabs. Popular dissatisfaction with al-Qaeda's brutal tactics, along with its infringement on traditional tribal prerogatives, appeared to generate a willingness among Sunni tribes to forge an alliance with the coalition. Exploring this emerging political alliance, or the potential symbolic effects of a troop surge on other actors whose loyalty was wavering, was not among the topics examined in detail by the study group on its trip to Iraq. The group did not meet with a single Sunni sheik who became part of the influential "awakening" movement of U.S.-aligned tribes in Anbar province.

The study group's lack of a large professional staff further curtailed its ability to assess the surge strategy, and it is here that the weaknesses of the public-private partnership that supported the study group's analysis can be seen most clearly.

⁵¹³ George Packer, "The Lessons of Tal Afar: Is It Too Late for the Administration to correct its course in Iraq?," *The New Yorker*, April 10, 2006.

⁵¹⁴ For background on Keane's role as a confidential advisor to several senior civilian and military officials, see Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 141-146.

Lacking in-house military analysts, the study group did not have the expertise to conduct a rigorous troop-to-task assessment that might have extrapolated the Tal Afar data to illustrate the potential benefits of a greater US security presence. Nor did its staff or members persuasively articulate scenarios in which potential security benefits from the surge would reinforce other processes, such as the awakening moment, that contributed to national reconciliation. The lack of a large professional staff also meant the group could not dispatch proxies to travel around Iraq on its members' behalf. As a result, the study group was less able to question the assessment of others, including General Casey, the ground commander in Iraq, who believed that more U.S. troops would not enable a successful counterinsurgency strategy.

The timing of the administration's own consideration of the surge was a final factor that precluded the study group's awareness of its emergence as a serious candidate strategy. The administration reviews of Iraq strategy by the National Security Council and Joint Chiefs did not begin in earnest until after the study group had retired to deliberate, and the surge was not seriously considered during the initial phases of either. Indeed, at the outset of the concurrent reviews, many of the administration's most senior military and foreign policy officials articulated the very theory of failure later explicated in the study group's report. In the White House review, State Department counselor Philip Zelikow and Iraq coordinator David Satterfield argued that U.S. forces were unable to influence Iraqi political dynamics, and that consequently "the future of the country must now be made by Iraqis."⁵¹⁵ Senior Defense Department officials offered a similar assessment. A surge was not among options initially considered by the team of colonels leading the Joint Staff review.⁵¹⁶ The plan that later became the surge was not outlined in detail until days before the White House's own internal deadline.⁵¹⁷

The outlines of the surge strategy, furthermore, were not generated in house, but rather developed externally and then tendered for consideration by Jack Keane and Fredrick Kagan of the American Enterprise Institute, two outside advisors invited

⁵¹⁵ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 232-35.

⁵¹⁶ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 2008, 235.

⁵¹⁷ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 240-41.

to brief the President and Hadley separate from the ongoing reviews.⁵¹⁸ It was only after the President expressed interest in the possible escalation of forces suggested by Keane and Kagan that the internal review teams seriously considered the feasibility of bringing more troops into theater. Although Keane served on the board of retired military officers advising the study group, the expert working groups primarily functioned to provide background analyses in the study group's early stages, and were not consulted during late deliberations or given the chance to comment on drafts of the final report. Baker's penchant for secrecy thus effectively kept the late breaking enthusiasm for the surge off the study group's radar.

The study group's failure to seriously consider the strategy the President elected to follow was thus in part the result of its constitution as an advisory body rather than a full investigative commission. As an entity of "wise men" advised by groups of volunteer experts but not a large professional staff, the study group was ill-equipped to notice the subtle dynamics that were later melded into a successful strategy. Similar to NASA's Return to Flight Task Group, the study group's diagnostic vision was predicated upon analysis being provided to it by request. Little independent, generative thinking was done in house. As a result, it was more difficult for the study group to challenge received thinking. The experience of the Iraq Study Group and the Return to Flight Task Group suggests that staffing structures make a pervasive difference in the ability of commissions to diagnose complex systems. In general, investigative commissions with large staffs appear to reach more accurate conclusions than advisory panels that lack investigative resources.

Iraq Study Group Becomes 'Plan B'

The study group's primary recommendation may have been dead on arrival from the President's perspective, and reported as so in the media, but the debate in Congress over the surge plan illustrates that the study group's conclusions were very much alive. Tracing the study group's impact on the unfolding Iraq debate and to tangible changes in administration policy reveals both the unique influence

⁵¹⁸ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 276-282.

commissions are able to wield and the bureaucratic and political limitations to their ability to order events.

For more than a year after the study group issued its report, those who opposed the surge fought what became a rearguard battle to legislate the report's conclusions into law. The efforts by Congress to forcibly shape U.S. foreign policy in Iraq by legislative and budgetary means illustrates how the study group's conclusions framed the debate over possible courses of action and provided specific conditions written into legislation. Far from being "dead-on-arrival," as conventional wisdom would have it, the study group's conclusions on Iraq policy touched off a fierce tug-of-war between the government's legislative and executive branches that lasted until the inauguration of President Barack Obama in January 2009.

With the President in control of the execution of foreign policy, and Congress primarily able to challenge Executive branch prerogative through budget resolutions, the first major legislative debates over the surge occurred in March 2007, when Congress considered the emergency supplemental to fund Iraq operations. Congressional support for the surge at first broke down along partisan lines, with Republicans generally supporting the White House and Democrats mostly favoring the course charted by the study group. A more nuanced picture soon emerged as Republicans began to break from President Bush. The rebellion was led in part by Lamar Alexander (R-TN), who petitioned the President to take the study group report "down off the shelf and use it for something other than a bookend."⁵¹⁹

As opposition to the surge intensified, Colorado Senator Ken Salazar took the extraordinary step of introducing legislation that would compel the President to produce a formal plan to implement the study group's recommendations. The "Iraq Study Group Recommendations Implementation Act of 2007" (S-1545), as Salazar titled the bill, aimed to create a legislative basis for the study group recommendations to become the future U.S. strategy in Iraq. The bill spelled out 62 separate diplomatic, military, policy conditions in more than 3,000 words of text that closely approximated the language of the study group report.⁵²⁰ Conservative critics attacked the bill as they did the study group, characterizing it as "mandating a cut and run

⁵¹⁹ David M. Herszenhorn, "Senators Dust Off Iraq Study Group Report," *The New York Times*, July 15, 2007.

⁵²⁰ For text of the Iraq Study Group Recommendations Implementation Act of 2007, see OpenCongress.org, "S.1545," <http://www.opencongress.org/bill/110-s1545/show>.

strategy” that would lead to defeat.⁵²¹ Salazar’s bill attracted 12 co-sponsors, both Democrat and Republican, but never passed committee. Salazar re-introduced the bill on July 10, 2007 as an amendment to the Department of Defense appropriation, but this too failed.⁵²²

Members of Congress who opposed the surge plan continued their attempt to legislate the study group’s recommendations. Although Salazar proved unable to write them into law *en masse*, the Democratic leadership did succeed in inserting a smaller subset into the first supplemental passed by the House and Senate in late April 2007. The measure wrote into law a phased redeployment of troops, to begin no later than October 1, 2007, with the end goal of removing all combat forces by April 1, 2008. The President, however, vetoed the bill on May 1, saying in a speech that Congress had “passed a bill that substitutes the opinions of politicians for the judgment of our military commanders.”⁵²³

The President’s attempts to frame the issue of who gets to decide on strategy as a question of expertise in military matters, rather than a political judgment to be made by democratically elected representatives, is a classic and historically successful maneuver undertaken by embattled executives. Opponents of the surge argued that the study group is itself a body of experts, but they ultimately lost the political fight. After the veto, congressional leadership removed the section mandating a timeline for withdrawal but kept in a variety of other study group recommendations. Foremost among these were eighteen benchmarks the President had to certify the Iraqi government was making progress toward before further support from the Economic Support Fund would be disbursed, absent a presidential waiver of the requirement.⁵²⁴ Using its power of the purse, Congress did succeed in implementing the milestone approach recommended by the study group. Getting the administration to strictly adhere to them was another matter entirely.

With the benchmarks written into law, debate shifted over the summer of 2007 to what constituted their fulfillment, much as the Return to Flight Task Group was

⁵²¹ James Phillips, “Senate Effort to Impose Iraq Study Group Recommendations: Unrealistic, Unwise, and Unnecessary.” *Heritage Foundation WebMemo #1555*, July 13, 2007.

⁵²² The bill’s first iteration was H.R. 1585, its second iteration SA-2063. See the record of the Senate for July 10, 2007.

⁵²³ The White House, “President Bush Rejects Artificial Deadline, Vetoes Iraq War Supplemental,” May 1, 2007.

⁵²⁴ P.L. 110-28, U.S. Troop Readiness, Veterans’ Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007, May 25, 2007.

forced to debate whether NASA had complied with the Columbia Board's recommendations. An initial White House assessment in July 2007 found that few of the benchmarks had been fulfilled, but declared that satisfactory progress was being made.⁵²⁵ A later Government Accountability Office audit found that the Iraqi government had met three benchmarks, partially met another four, and not met eleven others.⁵²⁶ In view of this dismal record, the administration cited continued Iraqi progress toward fulfilling the benchmarks as reason enough for the coalition to continue the surge.⁵²⁷ Congressional leaders were ultimately reluctant to pass legislation that would end funding for Iraq operations. Once again, the power of the executive and its ability to define the parameters of success blunted congressional attempts to enforce the measures of accountability defined by the study group.

⁵²⁵ The White House National Security Council, "Initial Benchmark Assessment Report," July 12, 2007.

⁵²⁶ GAO Report 07-1195, "Securing, Stabilizing, and Rebuilding Iraq: Iraqi Government Has Not Met Most Legislative, Security, and Economic Benchmarks," September 2007, David M. Walker, Comptroller General, Testimony before the Senate Committee on Foreign Relations, September 4, 2007, and White House Press Release, "Benchmark Assessment Report," September 14, 2007.

⁵²⁷ Gen. David Petraeus, MNF-I Commander, Testimony before the House Committee on Foreign Affairs and the Committee on Armed Services, September 10, 2007 and Amb. Ryan Crocker, Testimony before the House Committee on Foreign Affairs and the Committee on Armed Services, September 10, 2007.

Benchmark	GAO assessment	Status
1. Forming a Constitutional Review Committee and completing the constitutional review.	<input type="radio"/>	Committee formed but amendments not approved by the Iraqi legislature and no referendum scheduled.
2. Enacting and implementing legislation on de-Ba'athification.	<input type="radio"/>	Laws drafted.
3. Enacting and implementing legislation to ensure the equitable distribution of hydrocarbon resources of the people of Iraq without regard to the sect or ethnicity of recipients, and enacting and implementing legislation to ensure that the energy resources of Iraq benefit Sunni Arabs, Shia Arabs, Kurds, and other Iraqi citizens in an equitable manner.	<input type="radio"/>	3 of 4 components drafted; none being considered by parliament.
4. Enacting and implementing legislation on procedures to form semi-autonomous regions.	<input checked="" type="radio"/>	Law enacted; implementation scheduled for 2008.
5. Enacting and implementing legislation establishing an Independent High Electoral Commission, provincial elections law, provincial council authorities, and a date for provincial elections.	<input type="radio"/>	Commission law enacted and implemented; however, supporting laws not enacted.
6. Enacting and implementing legislation addressing amnesty.	<input type="radio"/>	No law drafted.
7. Enacting and implementing legislation establishing a strong militia disarmament program to ensure that such security forces are accountable only to the central government and loyal to the Constitution of Iraq.	<input type="radio"/>	No law drafted.
8. Establishing supporting political, media, economic, and services committees in support of the Baghdad security plan.	<input checked="" type="radio"/>	Committees established.
9. Providing three trained and ready brigades to support Baghdad operations.	<input checked="" type="radio"/>	Forces provided; some of limited effectiveness.
10. Providing Iraqi commanders with all authorities to execute this plan and to make tactical and operational decisions, in consultation with U.S. commanders, without political intervention, to include the authority to pursue all extremists, including Sunni insurgents and Shiite militias.	<input type="radio"/>	Political intervention continues.
11. Ensuring that Iraqi security forces are providing even-handed enforcement of the law.	<input type="radio"/>	Iraqi security forces engaged in sectarian-based abuses.
12. Ensuring that, according to President Bush, Prime Minister Maliki said "the Baghdad security plan will not provide a safe haven for any outlaws, regardless of [their] sectarian or political affiliation."	<input checked="" type="radio"/>	Militia infiltration of some security forces enables some safe havens.
13. Reducing the level of sectarian violence in Iraq and eliminating militia control of local security.	<input type="radio"/>	Militias control some local security; unclear whether sectarian violence has decreased.
14. Establishing all of the planned joint security stations in neighborhoods across Baghdad.	<input checked="" type="radio"/>	32 of 34 stations established.
15. Increasing the number of Iraqi security forces units capable of operating independently.	<input type="radio"/>	Number of independent units declined between March and July 2007.
16. Ensuring that the rights of minority political parties in the Iraqi legislature are protected.	<input checked="" type="radio"/>	Legislators' rights protected; minority citizens' rights unprotected.
17. Allocating and spending \$10 billion in Iraqi revenues for reconstruction projects, including delivery of essential services, on an equitable basis.	<input checked="" type="radio"/>	Funds allocated but unlikely to be fully spent.
18. Ensuring that Iraq's political authorities are not undermining or making false accusations against members of the Iraqi security forces.	<input type="radio"/>	Unsubstantiated accusations continue to be made.
<input checked="" type="radio"/> Met <input checked="" type="radio"/> Partially met <input type="radio"/> Not met		

Source: GAO analysis of UN, U.S., and Iraqi data.

Figure 5.2 GAO Assessment of Congressional Benchmarks.

Although months had passed since its report was issued, the study group remained a touchstone in congressional debate on both sides of the aisle. In the sum of 2007, House Republicans even pressured the President to reconvene the study group so that it could issue an updated assessment of Iraq and report on the extent to

which the administration had fulfilled its recommendations.⁵²⁸ It was a move reminiscent of Senator Barbara Mikulski's request to have the chair of the Columbia investigation review NASA's decision to cancel the Hubble repair mission. Neither the Columbia Board nor the Iraq Study Group ultimately reconvened, perhaps indicating an inability of Congress to resurrect expert bodies to referee subsequent policy debates. Nevertheless, the threat of reconstituting the study group remained symbolically potent for its implicit suggestion that the administration was contravening the study group's recommendations. In an attempt to pacify critics, senior administration officials hinted post-surge policies closely resembling a "Baker-Hamilton" solution were in the works.⁵²⁹

In the wake of the President's selection of the surge, the Iraq Study Group report functioned both as a rallying point for the opposition and as a kind of "Plan B," a holding place for a set of policies that might serve as a useful fallback if the surge failed, or even if it succeeded. Indeed, by the summer of 2007, some members of the Iraq Study Group staff remarked at the potential irony of their recommendations being implemented on a timescale a year behind what their report called for.⁵³⁰

5.3 Process-Tracing Consensus Recommendations

As the grand battle over whether to withdraw was fought by congressional leaders and the White House, secondary scuttles concerning the bulk of the study group's recommendations took place largely out of public sight. Many of its 79 recommendations were received without objection and implemented to varying degrees as 2007 progressed. By passing unimpeded from elected leaders to heads of agencies to implement, these politically uncontroversial recommendations are interesting objects of study to scholars interested in the policy influence of commissions and the dynamics of reform that occur in their wake. The extent to which these "consensus" recommendations catalyze desired policy ends constitutes a crucial test of the ability of the U.S. federal system to implement corrections in the absence of debate over policy direction. Importantly for this study, tracing their

⁵²⁸ "House Republicans Pressure President," *Washington Times*, June 28, 2007.

⁵²⁹ David Ignatius, "After the Surge: The Administration Floats Ideas for a New Approach in Iraq," *The Washington Post*, May 22, 2007.

⁵³⁰ Conversations with Benjamin Rhodes, Special Assistant to Lee Hamilton, spring and summer 2007.

implementation builds an empirical basis for theorizing about the mechanisms that drive commission-led reform, as well as the countervailing forces that limit commission influence. The following section provides an overview of these recommendations and closely examines the fate of three of them.

The most significant of the study group's consensus recommendations proposed an expansion of resources for training the Iraqi security forces. The administration implemented them fully. Additional allotments of funding in 2007 and early 2008 expanded the Iraqi Security Forces Fund to more than \$17 billion.⁵³¹ Coupled with \$4.97 billion in other allocations, spending on the Iraqi security sector in the year after the study group report grew larger than U.S. spending on all other sectors combined.⁵³² The administration also implemented a number of financially modest recommendations with little complication, including increased support for Iraqi ministries, the continuation of substantial economic assistance, redoubling efforts to establish functioning police and courts systems, and the strengthening of U.S. capabilities to undertake contingency operations abroad. As Lee Hamilton commented in July 2007, in many cases "you see progress toward our recommendations but not fully incorporating them."⁵³³

More interesting yet are those consensus recommendations that languished, despite being supported by Congress and the White House. A closer look at the struggle to implement three of the more crucial ones—two on U.S. bureaucratic process, one targeted at Iraqi politics—reveals the very real difficulty of applying therapeutic interventions recommended by commissions even when political consensus to do so exists.

The Search for Policy Coordination

⁵³¹ P.L. 109-234, Emergency Supplemental Appropriations for Fiscal Year 2006, June 15, 2006; P.L. 109-289, Department of Defense Appropriations Act for Fiscal Year 2007, September 29, 2006; P.L. 110-28, U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act for Fiscal Year 2007, December 21, 2007, and P.L. 110-161, Consolidated Appropriations Act for Fiscal Year 2008, December 26, 2007.

⁵³² SIGIR, *Quarterly Report to the United States Congress*, October 2008, 19 and State Department, *Section 2207 Report*, July 2008, Status of Funds.

⁵³³ "Hamilton: Still Time for Iraq Recommendations," *National Public Radio Morning Edition*, July 11, 2007.

- *Recommendation 67: The President should create a Senior Advisor for Economic Reconstruction in Iraq.*⁵³⁴

As the study group met with the Bush administration's national security team, Leon Panetta, former chief of staff under President William Clinton, asked a simple question: "Who in the administration is the central authority for dealing with Iraq's politics?" He got few clear answers.⁵³⁵ Neither the President's National Security Advisor nor the Secretaries of Defense or State articulated a clear system of control for managing engagement with Iraqi leadership or, more broadly, U.S. policy in Iraq. The question of who was in charge, both in Washington and in Baghdad, was fiercely contested in the occupation's early years. In mid-2006, policy coordination still seemed to be everyone's job—and therefore, in the eyes of the study group, the responsibility of no one in particular.

The lack of executive authority in the execution of Iraq policy was especially problematic in the reconstruction effort, which involved offices from 62 agencies or sub-agencies, each of which reported through different chains of command.⁵³⁶ In the words of the study group, the result was that "coordination of assistance programs by the Defense Department, State Department, United States Agency for International Development, and other agencies has been ineffective." The study group noted that "there are no clear lines establishing who is in charge of reconstruction," and "no single official is responsible or held accountable for the overall reconstruction effort."⁵³⁷ Agencies "follow conflicting strategies," leading to "duplicate or uncoordinated efforts."⁵³⁸

To remedy this failure of policy coordination, the study group called for the appointment of a Senior Advisor for Economic Reconstruction. Recommendation No. 67 specified that the senior advisor should report to the President and chair an interagency group in the National Security Council consisting of the senior

⁵³⁴ James A. Baker III, Lee H. Hamilton, et.al, *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 88-89.

⁵³⁵ Bob Woodward, *The War Within: A Secret White House History 2006-2008* (New York: Simon & Schuster, 2008), 123.

⁵³⁶ SIGIR Audit 07-008, "Fact Sheet on the Roles and Responsibilities of U.S. Government Organizations Conducting IRRF-Funded Reconstruction Activities," July 26, 2007, 2.

⁵³⁷ James A. Baker III, Lee H. Hamilton, et.al, *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 25, 88.

⁵³⁸ James A. Baker III, Lee H. Hamilton, et.al, *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 88.

leadership—either assistant secretary or above—of all agencies involved.⁵³⁹ Only by wielding the authority implicit in being the President’s personal representative did study group members judge that the necessary level of coordination between agencies could be achieved.

The study group was not the only observer to notice the lack of cohesion in administration policies. By fall 2006, the idea of appointing an “Iraq czar” as a remedy for policy coordination failures was widely discussed. The consensus among those outside the administration was that a czar was desperately needed.⁵⁴⁰ Strikingly, at no point in 2006 did the President’s advisors seriously advance the idea of appointing an Iraq coordinator, either for overall policy or for reconstruction. It was the President himself who forced the issue in the days preceding the announcement of the surge plan.⁵⁴¹

Ambassador David Satterfield, the State Department’s Iraq coordinator, was working with the President on the surge speech he was to deliver on January 10, 2007. While looking over economic and reconstruction programs being announced in the speech, the President turned to Satterfield and asked, “Who is going to coordinate all this?”⁵⁴² In the ensuing exchange, the idea of creating a coordinator position gained momentum. After consulting with Secretary Rice, Satterfield returned to the President with the suggestion that the position be titled the “Coordinator for Economic Transition in Iraq,” or CETI, and that the coordinator be appointed by the Secretary of State.

The President’s desire to announce the new position in his speech announcing the surge touched off a scramble to identify a person to fill it. Satterfield’s executive assistant recommended Ambassador Timothy Carney, who had just stepped down as Coordinator for Reconstruction and Stabilization, a new State Department post designed to manage the mobilization of civilian agencies in post-conflict missions.⁵⁴³ A veteran diplomat with experience in Vietnam, Cambodia, South Africa, Indonesia, Somalia, Sudan and Haiti, Carney had initially served in Iraq in the occupation’s initial months but left Iraq, as did the future Ambassador Ryan Crocker, soon after

⁵³⁹ James A. Baker III, Lee H. Hamilton, et.al, *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 88-89.

⁵⁴⁰ Jim Hoagland, “... But a U.S. Policy Czar Might Help,” *The Washington Post*, October 29, 2006.

⁵⁴¹ Conversations with Victoria Butler, January 12, 2006.

⁵⁴² Conversations with Victoria Butler, January 12, 2006.

⁵⁴³ Conversations with Victoria Butler, January 12, 2006.

Ambassador Bremer took charge of the Coalition Provisional Authority. An urgent call was placed asking Carney to come in and see Secretary Rice the next day.

The entire process—from the President’s suggestion to Carney’s appointment—played out in just over 48 hours. Carney learned of his role only just before Bush announced the new Iraq policy, the economic aspects of which he would be asked to carry out. Because the specifics of his position hadn’t been yet been established, Bush referred to Carney’s role in vague terms, saying that “Secretary Rice will soon appoint a reconstruction coordinator in Baghdad to ensure better results for economic assistance being spent in Iraq.”⁵⁴⁴ Rice made the formal announcement appointing Carney two days later.⁵⁴⁵

The position Carney found himself occupying was not what the Iraq Study Group had envisioned. He did not report to the President or have a leadership role in the National Security Council. Rather than being based in Washington with Cabinet level rank, as the study group recommended, Rice’s statement specified that Carney would report to the Ambassador in Baghdad. He had few enumerated powers, other than to “coordinate” the Embassy’s approach to economic and reconstruction affairs and to “work with” the military.⁵⁴⁶ Carney would be an appointee of the State Department, rather than a representative of the President. As such, he would have no command or tasking authority over other agencies or military offices. Those working in the reconstruction immediately saw that the coordinator position originally called for by the study group had no teeth by the time Rice announced it.⁵⁴⁷

Arriving in Baghdad, Ambassador Carney faced the question of how to define his role within the framework announced by Rice. Some advised him that the status endowed in his position by the President and Secretary of State meant he could assume a greater posture of authority than he might technically have, building his role into an Iraq-based version of the reconstruction czar the study group and others had called for. To achieve this, he could regularly invoke the authority of the President, who he interfaced with alongside the Ambassador in weekly videoconferences.⁵⁴⁸

⁵⁴⁴ The White House, “President’s Address to the Nation,” January 10, 2007.

⁵⁴⁵ Secretary Condoleezza Rice, “Appointment of Tim Carney as Coordinator for Economic Transition in Iraq,” January 12, 2007.

⁵⁴⁶ Secretary Condoleezza Rice, “Appointment of Tim Carney as Coordinator for Economic Transition in Iraq,” January 12, 2007.

⁵⁴⁷ Conversations with SIGIR personnel, January 13, 2007.

⁵⁴⁸ Interview with Ambassador Timothy Carney, former Coordinator for Economic Transition in Iraq, April 5, 2008.

Carney, however, was not inclined to embrace a wider conception of his responsibilities. A number of logistical and functional constraints, including his failure to gain a sufficient staff and to establish a relationship with top military commanders, ultimately led him to leave his role modestly defined.⁵⁴⁹

As a result of very practical restrictions to his administrative reach and his own reluctance to carve out a larger portfolio, Carney was in many respects unable to fulfill even the modest role spelled out in his official charge. Although he served as the senior liaison to the Iraqi cabinet on matters of economic affairs and chaired coordination meetings inside the Embassy, Carney did not wield direct authority over any entity not in the State Department chain of command. This left the vast majority of reconstruction offices—including the military’s reconstruction efforts and offices run by other U.S. departments—outside his formal control. In just over three months, Carney departed Baghdad. His position, originally suggested by the President himself, ultimately extended little beyond supporting the Ambassador.⁵⁵⁰

With the study group’s call for a strong coordinator only marginally fulfilled, critics outside the administration—and a few highly placed officials within it—continued to suggest that an Iraq coordinator be installed in the White House. Admiral William J. Fallon, who the President nominated as CENTCOM commander, the military’s combatant command with responsibility for the Middle East, was one of the most strident advocates of the new position. Fallon thought that a coordination role for reconstruction and other matters was desperately needed and began lobbying National Security Advisor Stephen Hadley to appoint a fully empowered “Iraq czar.” In Fallon’s estimation, Hadley “log-rolled” him and the candidates he recommended, giving lip service to Fallon’s suggestion but never acting decisively on it. Fallon’s

⁵⁴⁹ Carney was ultimately unable to recruit a robust enough staff or establish a strong enough relationship with the military command structure to be effective. Carney found that bringing personnel into Iraq in 2007 was just as difficult as it had been in 2003. He hired his deputy as a contractor, rather than a full-fledged government employee, when the State Department was unable to add him to the rolls quickly. The distinction had significant operational consequence, given the legal prohibitions on what functions contractors are allowed to perform. “The recruitment process is in sclerosis,” Carney later said about his effort to build a staff. “We are not responsive to the President’s policy for Iraq if we cannot get people hired in fewer than six weeks.” Carney also found the military uninterested in recognizing the stature that the President implied in his position. “I tried to get a military liaison officer,” he said. “It never happened. After a certain point I stopped asking.” It was a sign of the difficult relations between the military and civilian wings of the reconstruction that his coordinator position was supposed to help resolve. See Special Inspector General for Iraq Reconstruction, *Hard Lessons: The Iraq Reconstruction Experience*, (GPO: Washington, D.C., 2009), chapter 26.

⁵⁵⁰ Interview with Ambassador Timothy Carney, former Coordinator for Economic Transition in Iraq, April 5, 2008.

personal view was that Hadley was unwilling to cede control of the Iraq portfolio. “They didn’t want a big guy with the connections and knowledge not afraid to say ‘bullshit’ and bang heads,” Fallon said.⁵⁵¹

Four months after Fallon started his lobbying, and half a year after the study group released its report, Hadley agreed to create the position. In the spring of 2007 the search began for a “war czar” with broad coordination authority for all policy matters relating to Iraq. The White House approached three senior generals. Each, however, rejected the job, viewing its stated powers as insufficient to overcome the years of bad management that had produced intractable conditions in Iraq. “The very fundamental issue is, they don’t know where the hell they’re going,” said retired Marine Gen. John J. Sheehan, one of those offered the post.⁵⁵²

Many in Washington shared Sheehan’s caution that an organizational reshuffling would be insufficient to improve the U.S. position in Iraq. Both Carlos Pascual, former State Department coordinator of Iraq reconstruction, and David Rothkopf, a historian of national security, spoke against the study group’s implicit assumption that a new bureaucratic position would have much effect. “An individual can’t fix a failed policy,” Pascual commented.⁵⁵³ Rothkopf further enunciated a historically determinist view of sectarian conflict in Iraq that was beginning to take hold in official Washington. “This is a problem of Sunnis and Shiites, and it is not about Republicans and Democrats or the rank of officials or bureaucratic rivalry,” Rothkopf said. “The Sunnis started fighting the Shiites a thousand years before we got to Plymouth Rock, and it’s hard to create a new special implementer to deal with that.”⁵⁵⁴

After the White House failed to find a four-star officer willing to take the post, three-star General Douglas Lute eventually took the job. Lute, however, was the protégé of the outgoing CENTCOM commander John Abizaid, who was a critic of

⁵⁵¹ Interview with Admiral William J. Fallon, former CENTCOM commander, October 19, 2008.

⁵⁵² Peter Baker and Thomas E. Ricks, “3 Generals Spurn the Position of War ‘Czar’: Bush Seeks Overseer For Iraq, Afghanistan,” *The Washington Post*, April 11, 2007.

⁵⁵³ Peter Baker and Thomas E. Ricks, “3 Generals Spurn the Position of War ‘Czar’: Bush Seeks Overseer For Iraq, Afghanistan,” *The Washington Post*, April 11, 2007.

⁵⁵⁴ David E. Sanger, “News Analysis: 4 Years On, the Gap Between Iraq Policy and Practice Is Wide,” *The New York Times*, April 11, 2007.

the surge. Military and civilian officials carrying out the President's surge plan initially viewed Lute's appointment with skepticism.⁵⁵⁵

The search for a policy coordinator thus illustrates many obstacles faced by commissions that advance bureaucratic correctives as part of their recommendations. Even though many observers outside the administration, and even the President himself, concurred with the study group's call for enhanced policy coordination in reconstruction, a number of factors conspired to prevent the coordinator role from being fully realized. To begin with, the separate command relationships in the military and in civilian agencies inherently resist coordination.⁵⁵⁶ Insiders also moved to protect turf and historical prerogatives. Even when the position was created, several qualified individuals declined to serve in the coordinator role. The failure to create an effective reconstruction coordinator thus illustrates the difficulty of moving from a diagnosis made by outsiders to a successful therapeutic intervention carried out by insiders.

Developing a Civilian Rapid Reconstruction Fund

- *Recommendation 68: The Chief of Mission in Iraq should have the authority to spend significant funds through a program structured along the lines of the Commander's Emergency Response Program, and should have the authority to rescind funding from programs and projects in which the government of Iraq is not demonstrating effective partnership.*⁵⁵⁷

Just as the study group found executive authority lacking in the reconstruction, it also found funding sources for reconstruction projects overly constrained by conditions for their expenditure. Missing was a flexible funding source that could be rapidly allocated by reconstruction personnel according to changing needs and variations in Iraqi cooperation. In response to the study group's recommendation, the embassy eventually developed the "quick response fund." At over \$100 million, the

⁵⁵⁵ Julian E. Barnes and Peter Spiegel. "Bush Selects General for 'War Czar,'" *Los Angeles Times*, May 16, 2007.

⁵⁵⁶ For an excellent summary, see "Forging a Comprehensive Shield: Report of the Project on National Security Reform," November, 2008.

⁵⁵⁷ James A. Baker III, Lee H. Hamilton, et.al, *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 89.

fund was to be the surge's signature civilian resource—the primary financial means by which Provincial Reconstruction Teams could independently undertake short-term development projects in their areas.⁵⁵⁸

Despite the fund's stated goals, its rules were anything but flexible. Initial procedures governing the fund's distribution for projects larger than \$25,000 entailed three stages of review.⁵⁵⁹ After the Provincial Reconstruction Teams completed a seven-page grant application and a five-page summary, a technical committee at the embassy reviewed the proposal.⁵⁶⁰ From there, proposals went to Washington for a separate review. The quick response funds were thus initially saddled with administrative requirements that far exceeded the military's parallel development program, in which a brigade commander could unilaterally approve expenditures up to \$200,000.

Multiple review committees were not the only obstacles for applicants to the fund to overcome. Once these operational hurdles were cleared, a new requirement mandated that applications be reviewed by the U.S. Embassy's Regional Security Office, which had not before played an active role in vetting recipients of grant funds. The insertion into the review process of the notoriously inept and risk-averse security bureaucracy did not bode well for the grant program, which personnel began nicknaming the "Quagmire Response Fund."⁵⁶¹

After an outcry from reconstruction officials, the rules were eventually streamlined. Micro-purchases would not need prior approval, and the embassy could approve projects up to \$25,000. Only those larger than \$25,000 would be sent to Washington for review. Nevertheless, the dispute over procedures limited total disbursements in the program's first five months to just \$3.5 million.⁵⁶² As a consequence, Provincial Reconstruction Teams initially lost much of their "surge"

⁵⁵⁸ SIGIR, *Quarterly Report to the United States Congress*, January 2008, 50; and GAO Report 09-86R, "Provincial Reconstruction Teams in Iraq and Afghanistan," October 1, 2008.

⁵⁵⁹ Stephen D. Andersson, Rule of Law Coordinator, Baghdad PRT, email to author, September 4, 2007.

⁵⁶⁰ U.S. Embassy Baghdad memorandum, "Guidelines for Administration of the PRT/ePRT Quick Response Fund," v.1, August 12, 2007 and U.S. Embassy Baghdad memorandum, "Quick Response Fund SOP#1: Grant Submission and Approval Process," v.1, September 3, 2007.

⁵⁶¹ Stephen D. Andersson, Rule of Law Coordinator, Baghdad PRT, email to author, September 4, 2007.

⁵⁶² Interview with Steve Connolly, Quick Response Fund Coordinator for Development Alternatives Inc., March 3, 2008.

capacity to engage provincial governments, missing opportunities for progress during early lulls in violence.⁵⁶³

Once again, it proved difficult to correct a deficit in civilian reconstruction funding that both the study group and administration viewed as problematic. Despite identifying a critical need, implementing the study group's recommendation in an efficient and effective manner at first proved beyond the capability of the State Department. Only after a prolonged period was the study group's original intent realized.

The Struggle to Hold Provincial Elections

- *Recommendation 29: Provincial elections should be held at the earliest possible date.*⁵⁶⁴

Several of the study group's consensus recommendations concerned Iraqi politics, a subject that was in many ways more difficult for outsiders to diagnosis and intervene in than U.S. bureaucratic process. The study group had convened in a year of extraordinary tension between Iraq's Shi'a and Sunni communities, when levels of sectarian violence approached that of civil war. Coaxing Sunni and Shi'a parties to resolve fundamental political impasses driving sectarian aggression had become the most important U.S. objective.

The study group issued a series of recommendations designed to provide a comprehensive approach to bridging Iraqi divides. Of these, the study group judged that holding provincial elections was most pressing. The imbalance of power that had resulted from the 2005 elections, which Sunnis boycotted after coalition military action in Fallujah, had left Shi'a politicians holding a disproportionate amount of power. The failure of Sunnis to be proportionally represented in government was a key factor driving the violence. For over a year, Sunni political parties had called for

⁵⁶³ As of late September 2008, 2,065 programs have been approved through QRF grants, and almost 50 percent of funds have been disbursed. SIGIR, *Quarterly Report to the United States Congress*, October 2008, 84.

⁵⁶⁴ James A. Baker III, Lee H. Hamilton, et.al, *The Iraq Study Group Report* (New York: Vintage, 2006), issued December 6, 2006, 65.

a new round of provincial elections that would allow them to establish representation in accordance with their share of the population.

Despite the study group's identification of new elections as one of the most pressing issues facing Iraq, and despite Congress legislating elections one of eighteen performance benchmarks, three years would pass before they were scheduled. It was not that U.S. officials in Iraq were unaware of the issue, or did not try to bring about a solution. It was that practical limits existed to ability of the U.S. to influence Iraqi politics.

Solving the elections issue involved the Iraqi parliament passing two interlinked laws, one demarking how power would be shared between the provinces and Iraq's central government and another concerning the process of holding elections themselves. In the initial months after the release of the study group report, U.S. officials were hopeful that the Iraqi parliament could pass both laws simultaneously and that elections could soon be held. The politics of each issue however became so complex that parliamentary leaders believed they could not pass both laws simultaneously, and progress slowed. Shi'a reluctance also played a part.

The intransigence of the ruling Shi'a coalition to cede power, as would inevitably happen after new elections, was not the only factor retarding progress. The U.S. Embassy was also ill-positioned to advocate for different results. The U.S. had not formulated an internal position on the key matter of the provincial powers law—whether the provincial council or governor should be the dominant local authority—and was content to let the Iraqi political process sort out the difficult questions on how Iraqi federalism was to function.⁵⁶⁵ Internal staffing issues also diminished the Embassy's ability to see through a legislative solution to provincial elections. The political section, staffed by just over a dozen officials, were overburdened with coordinating ongoing military operations. Marshalling a concerted effort to liaise with legislators was impossible. Turnover in the U.S. Embassy also led a new cadre of officials to lose sight of law's importance.⁵⁶⁶ The year 2007 thus slipped to a close with parliament little closer to an agreement than when it began.

⁵⁶⁵ Off-the-record interview with senior U.S. Political Officer, U.S. Embassy Baghdad, August 23, 2007.

⁵⁶⁶ Off-the-record interview with senior U.S. Political Officer, U.S. Embassy Baghdad, August 23, 2007.

The legislative logjam persisted for the better part of a year more. Parliament passed both laws in late 2008 after a significant lobbying push by Ambassador Croker and President Bush himself, and local elections were finally held in January 2009.⁵⁶⁷ The long delay, however, left political conflicts simmering across the country at a time when many U.S. troops were being killed or wounded. Once again, the study group's call for action on a divisive Iraqi political question proved exceedingly difficult to realize in practice, even on an issue on which the White House was supportive. Iraqi politics, U.S. bureaucratic deficits, and competing priorities meant progress was slower than hoped.

5.4 Iraq Study Group and the Politics of Reform

The day after the Iraq Study Group released its report, President Bush repeated a truism about expert commissions at a press conference with British Prime Minister Tony Blair. "Some reports are issued and just gather dust," the President said. "And truth of the matter is, a lot of reports in Washington are never read by anyone."⁵⁶⁸

One and a half years after the study group issued its findings, what can be said of its policy influence? More broadly, what more general dynamics of disaster and reform are evident in the study group's evaluation of an unpopular and possibly unwinnable war, and the administration's reception of a suggested strategy for what to do about it? How did the politics of Bush's second term shape the boundaries of the study group's inquiry and way it assigned blame for the failure of U.S. policy in Iraq? What, ultimately, does the experience of the Iraq Study Group suggest about the nature of national security commissions?

Perhaps most significantly, the study group's report brought closure to the three-year debate over whether administration policies were succeeding in Iraq. Before the study group issued its report, the President and his war cabinet repeatedly maintained that progress was occurring, and that the war was being won, even if slowly and in ways that were not always apparent to a public deluged with media coverage biased toward "bad news." After the study group report, the question was not whether existing policies were failing, but rather what should be done about them.

⁵⁶⁷ SIGIR, *Quarterly Report to the United States Congress*, October 2008, 6.

⁵⁶⁸ The White House, "President Bush Meets with British Prime Minister Tony Blair," December 7, 2006.

“Their description of how bad the situation was,” State Department counselor Philip Zelikow said, “was trenchant and helpful in galvanizing the need for action.”⁵⁶⁹ By bringing closure to the public debate about the failure of U.S. policy in Iraq, the study group proved itself a more credible and accepted messenger than either the President or the Democratic opposition.

The study group also spurred the White House to undertake a full-scale review of war policy in mid-November 2006, in which all options, including withdrawal, were for the first time on the table. In contrast to earlier strategy reviews, the President himself and all the key players, both military and civilian, participated.⁵⁷⁰ In this way the Iraq Study Group served as a catalyst, pushing the White House to do something that it could otherwise not bring itself to do.

Importantly for theorizing the politics of disaster investigation and reform, the ultimate incorrectness of some of the study group’s recommendations sheds light on its own diagnostic limitations as well as general differences between investigative and advisory commissions. The President’s decision to pursue a strategy that the study group acknowledged but did not seriously consider illustrates practical limits on the policy detail achieved by independent reviews when they are not outfitted with their own investigative staff. Lacking this capability, the study group largely took at face value the assessment of Iraqis security dynamics by senior military leaders, not realizing that it would be overturned by the analysis of others in the days before the study group went public with its report. Lines of vision also mattered. Concerns about providing security for the study group’s VIP members meant that the group could not travel widely across Iraq, denying its members a chance to grasp first-hand the very strategic developments that mattered in the end. A larger professional staff may have led the study group to ascertain the significance of the Anbar awakening and more seriously entertain the surge strategy, which ultimately proved the correct, if counterintuitive, policy choice.

In this way the political bargain that gave rise to the Iraq Study Group ultimately blinkered its vision. What could have been a robustly staffed commission of the executive or legislative branch was instead created as an earmark to a federal research institution. The desire to avoid a prolonged debate over the review’s

⁵⁶⁹ Public Broadcasting Service, “Interview with Philip Zelikow,” *FRONTLINE*, February 6, 2007.

⁵⁷⁰ Public Broadcasting Service, “Interview with Philip Zelikow,” *FRONTLINE*, February 6, 2007 and “Interview with Fredrick Kagan,” *FRONTLINE*, February 7, 2006.

mandate and authority ultimately stripped it of the very capacity it needed to make the correct judgment. Understanding how the study group's initial framing affected its constitution of expertise, and how this, in turn, contributed to its failure to see and take seriously the strategy the President ultimately followed in Iraq, establishes a powerful connection between a commission's diagnostic capability and therapeutic utility.

Chapter 6

Theorizing Disaster, Investigation & Reform

The 9/11 Commission, Columbia Accident Investigation Board, and Iraq Study Group constitute paradigmatic instances of crisis commissions, a standard remedy in the U.S. federal system for restoring the integrity of government in the aftermath of disaster or dramatic policy failure. Each was formed in response to an event too traumatizing for the usual political mechanisms to bring closure. Though vested interests initially maneuvered to avoid investigation, the 9/11 attacks, *Columbia* accident, and the failure of U.S. strategy in Iraq ultimately triggered official inquiries that grew into powerful institutions in their own right. Each commission came to clear, if contested, diagnoses of what had failed and why. Each was only partially successful in bringing government policies and institutions in line with its recommendations. The three together—two studied in detail in this dissertation, the third employed comparatively—illustrate the unique facility commissions exhibit, as one-shot diagnostic and therapeutic instruments, in addressing breakdowns of the national security state, whose technology-laden systems present new challenges to democratic governance. Tracing their investigations and the countervailing forces that acted against them opens a window onto what gives commissions power and how they can catalyze enduring change, as well as limits to their analytical reach and the reforms they recommend.

Although each of the three commissions exhibited notable limitations, on the whole they proved better equipped to understand and learn from volatile and unsettling failures than standing political institutions, which lacked the political will and range of expertise to discern the ideological, organizational, and technical factors that led to disaster. The 9/11 Commission picked up where an incomplete and politicized congressional investigation left off, faced down a hostile administration, and exposed structural weaknesses in counterterrorism and national preparedness that Congress, the media, and the administration itself were unable to ferret out on their own. NASA, true to its own vision of accident investigation, was poised to mount a narrow technical inquiry that would have left unexplored the political and organizational dynamics that led to the *Columbia* accident. Had the *Columbia* Board

not broken free of NASA's control, the U.S. space program would have been left vulnerable to the same political and budgetary pressures that led to the loss of two of its orbiters. The Iraq Study Group similarly did what Congress could not: its assessment of conditions in Iraq exploded the White House narrative of steady progress, forcing a fundamental reconsideration of war strategy and the acceleration of institutional changes to how the U.S. conceives of and fights war. Although the study group's diagnostic limitations blinded it to the specific strategy that ultimately succeeded, its investigation was a critical catalyst to the successful turnaround of the U.S. effort in Iraq.

As muscular actors in the U.S. political process, these three commissions demonstrate the continuing relevance of ad hoc panels as a general form of public reason in the first decade of the 21st century, as well as their unique suitability to investigating the complex systems of the national security state. Border security, space launch and recovery, and the invasion and rebuilding of a foreign country are achieved by the deployment of systems that interlink a complex assemblage of human and technological elements. To operate effectively, they require the ongoing application of specialized expertise and policy guidance that blurs traditional distinctions between the political and technical realms. These systems are increasingly essential to the exercise of state power, yet inherently vulnerable to breakdown. Governing them is no easy task.

When suicidal terrorists plotted to turn planes into weapons, the 9/11 Commission found it was not enough to deploy screening technologies in airports designed to prevent bombings and hijackings—a slippage between threat and countermeasures that revealed blindness, at the government's highest levels, to the intentions of al-Qaeda. The Columbia investigation similarly observed how the ideologies of spaceflight held in policy circles became embedded in the technical systems NASA used to evaluate shuttle safety. Top-level vision of what the shuttle ought to be influenced engineering decisions many levels down, allowing a known technical problem to lead to the loss of an orbiter and crew. In yet another striking parallel between the cases, the Iraq Study Group observed how the vision of war and diplomacy favored by the administration—and the technical and organizational systems that support it—were ill-suited to achieving U.S. goals in Iraq. A misalignment between the ideology, organization, and technology of occupation deployed by the national security state produced quagmire.

Though far from perfect instruments, the three commissions profiled in this dissertation helped the U.S. political system come to grips with failures across different domains of state power. Although the subjects of their investigations were removed from one another, the nature of the breakdowns they sought to correct were remarkably similar. The national security state, to an increasing extent, depends upon the interlinking of political and material technologies at almost all levels of operation. Pinpointing what had gone wrong in each case required the commissions to disaggregate how ideology, organizations, and advanced technologies are coupled to each other within the institutions of state, and to issue correctives aimed at each of these elements of system operation. Although the three commissions reached varying levels of insight, and a number of their recommendations were ultimately disregarded or even proved wrong, each nevertheless performed a valuable democratic service by directly improving the functioning of government or by serving as a catalyst for its reform. Drawing together lessons from this study yields new theorizations of investigation and reform, and points to the important role commissions are likely to play in the years ahead.

Theorizing Investigation

How do commissions see accurately on behalf of the public, and what gives their findings power? The two original case studies in this dissertation and established literature on the 9/11 Commission strongly suggest that the key to investigating complex systems is seeing their operations clearly at three levels: ideology, organization, and technology. Only by disaggregating systems in this way, and thereby making visible social and political values encoded in institutional practice, were these three commissions able to arrive at compelling explanations for what caused system breakdowns.

In each case, achieving a comprehensive diagnosis was difficult, and the progression from disaster to investigation to the reform of institutionalized power was not smooth. The call for outside inquiry had to pass through a web of obstacles before commissions even got started. Countervailing forces acted at every turn. The organs of government under scrutiny, not least the Executive branch and its agencies, moved to limit each commission's scope and deny them resources to develop a robust

analytic capacity. As a result, the struggle to carry out a thorough investigation consumed each commission for its duration. The case studies further show that commissions are not powerless in the face of political pressure but rather have sources of agency to draw from. Through building coalitions with lawmakers and the media, and through appealing to the values of democratic constitutionalism, the three commissions were able to fight attempts to curtail their investigation.

Limitations to seeing clearly at all three causal levels did not stem solely from external forces. They also emerged from within the commissions themselves, which the case studies portray as unstable institutions defined by power struggles over how to carry out investigations and over what conclusions they yield. Pushing past received ways of viewing the world required an ethic of openness and analytic discipline that not all commissions were able to muster. Commissions also had to recognize when they needed outside expertise. The case studies suggest that successful commissions often serve as a bridging mechanism between government and the academy. By contrast, commissions unable to acquire a robust staff or the ability to augment internal findings with analysis by external consultants were noticeably less able to reach penetrating insights or to demonstrate the correctness of their views.

The case studies also show that making a diagnosis at each of the three causal levels was not sufficient to give power to commission findings. Each commission had to use the knowledge it generated to prove the state wrong. The 9/11 Commission confronted administration mistruths by cross-examining the President's advisors on national television. The Columbia investigation staged a forensic test that exploded NASA's insistence that a piece of foam could not harm the orbiter, much like the physicist Richard Feynman's canonic O-ring experiment during the Rogers Commission investigation in 1986. Similarly, the Iraq Study Group rebutted the administration's characterization of the war in a report that became a bestselling book distributed nationwide on the day of its release. Only through these visible demonstrations of commission expertise did their findings take hold in the national imagination. Successful commissions not only strove to see on the public's behalf. They also positioned themselves to be seen holding the state accountable.

Such tight coupling between a commission's investigatory capacity and its public credibility suggests that crisis commissions are employing expertise in a more

complex way than is commonly recognized. In the classic scenario described in political science literature, lawmakers turn to a commission either to forge a consensus that they themselves cannot reach or in cases where they lack sufficient information to make a policy decision.⁵⁷¹ Commissions, in this view, are important mediators of expertise that function to harness the “independence, stature, and ideological diversity” of their members to reach and make visible politically acceptable compromises. The primary reason why lawmakers call upon them is to serve as a “distinct form of political credibility” that enables the construction of policy focal points, which in turn prompt policy makers and the public to take action.⁵⁷²

The example of the 9/11 Commission, Columbia investigation, and Iraq Study Group, however, reveals a different story about the production of expert knowledge and its use to catalyze policy change. As we have seen, the credibility of crisis commissions is not merely an essentialist trait that derives *a priori* from the inherent stature of their members. Rather, credibility is in part the product of interactions that occur during the investigative phase as commissions identify, compile, and make known errors made by the state. Especially during the Columbia investigation and 9/11 Commission, the investigation phase was not characterized by dispassionate fact-finders but was rather a deeply combative process through which each commission demonstrated their relevance to policymakers and the public at large. Credibility, in this way, is the output of performance. Successful commissions do not find facts in the conventional sense. Instead it is only through their labors that the facts are constituted specifically as facts in the first place. Given their location at the nexus between politics and expertise, this requires the politician’s carefully choreographed public demonstrations of credibility just as much as it does the scientific expert’s esoteric technical know-how.

Taking on board this new understanding of credibility allows us to see how a commission’s expertise is also its most essential political resource. The production of

⁵⁷¹ See Bruce Bimber, *The Politics of Expertise in Congress: The Rise and Fall of the Office of Technology*

Assessment. (Albany, NY: State University of New York Press, 1996) and Norman A. Beckman, Policy Analysis for the Congress. In *New Strategic Perspectives on Social Policy*, edited by J. E. Tropman, M. J. Dluhy and R. M. Lind. (New York: Pergamon Press, 1981).

⁵⁷² Jordan Tama, “From Crisis to Reform: The Impact of National Security Commissions,” doctoral dissertation, Woodrow Wilson School of Public and International Affairs,” Princeton University, September, 2009, 41-43, 260.

original expert knowledge gives commissions power. By producing expert knowledge that proves agencies and at times even the President wrong, commissions buttress their own standing as diagnostic instruments fit to issue policy recommendations. Commissions' expertise and credibility, in the words of social theory, are co-produced.⁵⁷³ The credibility of crisis commissions, then, is to a very great deal the product of what I will term the "performance of expertise," in which expertise is instrumentally employed both to discover facts and to further a commission's standing in the public eye.

Three corollaries follow from this intertwining of expertise and credibility at work in crisis commissions investigating the national security state. First, the view of commissions primarily as "consensus machines" has led some scholars to suggest that when selecting commissions, the Executive branch and legislature should "prioritize political credibility over expertise in selecting commissioners."⁵⁷⁴ This finding may well hold for commissions tackling issues that are primarily ideological, and in cases when an understanding of facts and circumstances of a policy breakdown is established and uncontested. But the case studies suggest that the nature of exploring unknown causes of breakdowns in the national security state entails a different set of challenges. When complex systems are the objects of investigation, analytical expertise matters a great deal. Whether present on the investigation staff or in the ranks of its members, commissions must be equipped to pursue an investigation at all three causal levels.

Second, given the role expertise plays in generating political power, it is important to distinguish crisis commissions that have robust investigative capacity from those that do not. The presence of a large staff on both the 9/11 Commission and Columbia Board proved essential to rebutting explanations advanced by the agencies they were investigating. Both had staffs larger than three times the size of the average twenty or so professional investigators employed by congressional committees. Both also had the ability to hire consultants and fund external analysis. This level of investigative resources, which I will term "super staffs," is rare in the U.S. federal system. RAND and the National Academies typically assign only a few

⁵⁷³ Sheila Jasanoff, *States of Knowledge: The Co-production of Science and the Social Order* (London, UK: Routledge, 2006).

⁵⁷⁴ Jordan Tama, "From Crisis to Reform: The Impact of National Security Commissions," doctoral dissertation, Woodrow Wilson School of Public and International Affairs, Princeton University, September, 2009, 273.

staff members to studies. Staff on congressional investigations rarely numbers more than thirty. “Super staffs” of crisis commissions thus constitute a concentration of expertise greater than regularly deployed by almost any other government or quasi-governmental entity. Critically, “super staffs” provide a commission with the intellectual and political resources that enable them to forcefully confront the agencies they are investigating.

The importance of “super staffs” can be discerned by examining what happens in their absence. Not having a “super staff” hampered the Iraq Study Group and NASA’s Return to Flight Task Group. Denied a budget by the NASA Administrator to conduct independent physical tests, the Task Group was unable to disprove the shuttle program’s engineering rationale for what caused foam loss, even though its members had a strong intuition that the rationale was wrong. Likewise, the Iraq Study Group was unable to challenge received thinking about the utility of a troop surge because the political compromise that enabled its formation precluded the hiring of a robust staff of military analysts. The lack of a professional staff that could travel widely across Iraq introduced still more difficulty into the study group’s ability to ascertain emerging political and military dynamics, such as the Anbar awakening, that proved essential to the success of the surge strategy the President ultimately followed.

Crisis commissions that lack their own robust investigative capacity are in essence consigned to the position of a consulting physician. They are able to read the case file, but not directly examine the patient. The accuracy of their diagnosis suffers as a result. Interestingly, the centrality of staff and research to a commission’s success echoes some of the earliest findings on presidential commissions that intervening scholars have not further developed.⁵⁷⁵ It also underscores how political negotiations that give rise to crisis commissions exert a profound effect on their diagnostic powers. Any theorization of commissions must recognize that the size, structure, and authority granted to a crisis commission is the product of compromises between those urging investigation and those being investigated. Because the ability

⁵⁷⁵ Jordan Tama, who argues against the importance of expertise, notes that Terrence Tutchting’s 1979 analysis, *Rhetoric and Reality: Presidential Commissions and the Making of Public Policy* (Boulder, Colorado: Westview Press, 1979) argues that commissions have greater impact when they possess large staffs and conduct extensive research. Tama, doctoral dissertation, 55. More recently Kevin Esterling explored the more general topic of expert knowledge in policymaking. See Kevin M. Esterling, *The Political Economy of Expertise: Information and Efficiency in American National Politics* (Ann Arbor: University of Michigan Press, 2004).

of a commission to move beyond its original charter is limited, the outcome of these negotiations can exert path-dependent effects on an investigation's entire course.

A third corollary of this view of expertise is that the imperative for commissions to reach unanimity—so lauded by many scholars of commissions—comes with a cost that should be weighed against what political advantages it may bring. Conventional wisdom holds that releasing a commission report with written dissent is fatal to commission influence. Mutually exclusive or equivocal views in a commission's final analysis can be portrayed by critics in a negative light, possibly scuttling that commission's policy influence altogether.

While a unanimous report no doubt enhances political momentum behind a set of recommendations, the case studies suggest that unanimity should also be viewed with caution because commissions so often scale back their diagnostic ambitions to enable consensus to occur. The 9/11 Commission notably “muted its interpretation” of the actions of two Presidents and their advisors so that its members could all sign off on its final report.⁵⁷⁶ Similarly, a disagreement between members of the Iraq Study Group about the utility of a troop surge was hidden within the text of its report rather than presented as an unresolved debate requiring further analysis and consideration. The push for unanimity in each case had the effect of withholding important analytical insights from the reader of the commission report. Dissent in commissions, as in the institutions they investigate, alerts others to the possibility of alternative interpretations and outstanding ambiguities. Although unanimity is certainly a powerful political signal that undoubtedly advances commission influence, the effort to achieve it may also obscure crucial information. Consensus should thus be viewed as a social practice that carries benefits as well as potential tradeoffs.

Theorizing Reform

In theorizing investigation, we have established how the negotiations that give rise to crisis commissions in part determine the analytic capacities they develop, and how this in turn shapes their ability to correctly diagnose the causes of failure as well as their ability to establish credibility in the public eye. How then do crisis

⁵⁷⁶ Criticisms of the 9/11 Commission are discussed in the introduction.

commissions translate the moment of democratic reckoning they open up into long-lasting reform?

The case studies affirm that commissions are challenged by their task of reshaping the practices of public institutions that remain long after they themselves disband. Classic barriers to change in the U.S. federal system, including the presence of multiple veto actors, super-majoritarian requirements, and exercise of presidential powers, blocked key reforms promulgated by all three commissions. The 9/11 Commission's vision of a Director of National Intelligence with centralized control over the intelligence community was not fully realized. The system of safety oversight advocated by the Columbia investigation did not reach full maturity inside the shuttle program. The Iraq Study Group was perhaps least successful in achieving its most important policy objective, a drawdown of troops.

In spite of this, each commission significantly broadened the public's understanding of the failures they investigated and in so doing forcefully shaped the government's approach to them. As a measure of their immediate effectiveness, Congress and the Executive enacted a substantial number of their recommendations in the two years following the release of their reports, equaling if not bettering the 50 percent success rate Jordan Tama has established as par for the course for national security commissions.⁵⁷⁷ But any assessment must also acknowledge the longer-term influence crisis commissions exert on the public consciousness. Through adding to the historical understanding of the events they chronicled, thereby changing what was "known" or "presumed" about the breakdowns and their causes, each commission effectively revised the public narrative of a collective trauma. This revised understanding effects how the Administration and Congress comprehend the failure and conceive of policy strategies to combat it, leaving a legacy that will shape public policy and government institutions for years to come.

The case studies reveal several strategies commissions used to coax the state to reform. First, successful commissions were mindful of their inherent limitations as temporary entities and sensitive to the politics playing out around them. In what was perhaps the most rigorous attempt at grasping the limitations of the commission form, the Columbia investigation conducted a detailed review of the effect of prior

⁵⁷⁷ Jordan Tama, "From Crisis to Reform: The Impact of National Security Commissions," doctoral dissertation, Woodrow Wilson School of Public and International Affairs, Princeton University, September, 2009.

commissions on the shuttle program. Aware that the recommendations of these reviews rarely stuck, investigators strategized how the measures they proposed could avoid a similar fate. The Iraq Study Group and 9/11 Commission were less explicitly reflexive about the historical patterns of reform in the agencies they aimed to change, but they too employed a variety of strategies to ensure that their recommendations achieved the intended effect. Just as the Columbia investigation mandated deadlines by which NASA had to perform certain actions in order to prevent the agency from undue delay, the Iraq Study Group proposed a set of benchmarks that future aid to Iraq would be legally conditioned upon. The Iraq Study Group also wrote 79 separate recommendations, many with multiple subordinate clauses, in order to offer an unmistakably detailed roadmap for reform.

Public relations also mattered. The 9/11 Commission, Columbia investigation, and Iraq Study Group each built relationships with media elites and employed stagecraft to maximize the news coverage of their final reports. The 9/11 Commission went further, and created a private not-for-profit organization to lobby Congress after the commissions' official disbandment. Commissions that realize their vision for reform are thus highly reflexive about their own limitations and, because of that understanding, instrumental in shaping their investigations and recommendations to achieve maximal effect. The process of building and maintaining public support, furthermore, entails trade-offs. As demonstrated by the controversy surrounding the Iraq Study Group's closed-door deliberative practices, commissions must balance the imperative to be seen carrying out their democratic responsibility before the public with their need to see clearly and at times privately into the apparatus of the state. Likewise, highly public exhibition of investigation findings, such as the testimony of Diane Vaughan during the Columbia investigation, can trigger hostile reactions in the agency under investigation, who resents being so publically taken to task.

The case studies also highlight the importance of targeting recommendations at all elements of a complex system—technical, organizational, and ideological—even if achieving this is no easy feat. In all three cases, organizational and ideological correctives proved harder to imagine, and implement, than technical ones. The 9/11 Commissions offered highly specific recommendations on airport security, but made only the briefest comments on the relationship between U.S. policy in the Muslim world and Islamic terrorism. The Columbia investigation likewise spent half of its

report enumerating the political and organizational causes of the accident but then issued many more technical recommendations than organizational and political ones. In a similar vein, the preponderance of the recommendations issued by the Iraq Study Group concerned the mechanics of U.S. internal bureaucratic process rather than specific ways to influence Iraqi politics or security dynamics. The focus on technical and bureaucratic measures is in keeping with the known American tendency to prefer technical solutions to problems with underlying political causes.⁵⁷⁸ The cases suggest that the messiness of human relations and difficulty of cross-cultural understanding are indeed with us still. Practitioners of public policy, it seems, need to read more Shakespeare and more history, and be mindful of this tendency to focus inward, on bureaucratic process, rather than outward, on political dynamics.

Finally, a dynamic of power influenced each commission's ability to coerce state behavior. The Columbia investigation was largely able to corral NASA's human spaceflight program, which constitutes one half of one agency of the Executive branch, into following its will. The 9/11 Commission and Iraq Study Group were noticeably less successful at pursuing their reforms, likely because they directly challenged the prerogatives of the President and entailed changes within multiple executive agencies. This suggests that while commissions may be capable of diagnosing complex systems of any size, their ability to coerce change is greatest at smaller scales, where political resistance can be more easily identified and counteracted. A commission taking on the entire executive branch is likely to find itself outmatched.

Commissions, Modernity & Democratic Theory

The three commissions examined in this dissertation span the eight years of the George W. Bush administration and in many ways encompass the events that defined his presidency. Yet the machinery of the state churns onward still, its complexity generating new challenges and uncertainties even as old problems are solved.

⁵⁷⁸ Sheila Jasanoff, ed. *Learning from Disaster: Risk Management After Bhopal* (Philadelphia: University of Pennsylvania Press, 1994). See also Lynn Eden, *Whole World on Fire: Organizations, Knowledge, and Nuclear Weapons Research* (Ithaca: Cornell University Press, 2004), Lee Clarke, *Mission Improbable: Using Fantasy Documents to Tame Disaster*, (Chicago: University of Chicago Press, 1999).

Six months after the January 2009 inauguration of President Barack Obama, NASA was once again wrestling with uncertainty. The new administration, concerned about the viability of Bush's "Vision for Space Exploration," convened a panel to devise a new national space policy and to examine whether the shuttle's retirement date should be extended beyond the 2010 deadline mandated by the Columbia investigation.⁵⁷⁹ Iraq, too, stubbornly refused to recede from the news. Violence flared as President Obama withdrew troops in accordance with his campaign pledge to carry out the Iraq Study Group's recommendations.⁵⁸⁰ The very week that Obama's Secretary of Defense visited Baghdad to assess the situation first hand, 9/11 Commission members made what they said would be a final public report on the status of their recommendations. At an event hosted by Secretary of Homeland Security Janet Napolitano, co-chairs Thomas Kean and Lee Hamilton noted that Congress had acted to some degree on 80 percent of their recommendations, but that several key measures—including a streamlined system of congressional oversight—had yet to be adopted.⁵⁸¹

The ongoing complications in the three policy areas examined by this dissertation illustrate the extent to which commissions can bring order to the policymaking process, and to the wider world it aims to affect. Although the ultimate influence of commissions is not absolute, they can and do perform vital functions that go beyond what the literature recognizes. In the aftermath of disaster, crisis commissions have traditionally been thought of as instruments of retrospective analysis that ascertain the causes of policy failure and issue recommendations to correct them. But when viewing the service they perform in wider terms, we can actually see them as democratic correctives that help re-establish the effective functioning of government when standing institutions lack the political will to repair themselves. In the three instances examined in this dissertation, the concentration of expertise commissions mustered enabled them to see the world more clearly, in most respects, than the actors they investigated, and thereby to devise fair and prudent correctives to serious problems in the institutions of the state. By cultivating greater

⁵⁷⁹ See David Shinga, "NASA panel may propose 'deep space' crewed missions," *New Scientist*, July 30, 2009 and Dennis Overbye, "NASA Panel Grapples With Cost of Space Plans," *The New York Times*, August 13, 2009.

⁵⁸⁰ Elizabeth Bumiller, "Iraq Can't Defend Its Skies by Pullout Date, U.S. Says," *The New York Times*, July 28, 2009.

⁵⁸¹ "9/11 Commission Members Act to Finally Wrap It Up," *CNN*, July 25, 2009.

reflexivity about recurrent problems that would otherwise have gone unaddressed, they helped govern the national organizations that protect our security.

At a still deeper level, commissions provide us a window into the age in which we live—an age in which few governmental tasks can be accomplished without mobilizing large socio-technical systems, and in which the efficient design, maintenance, and repair of such systems is a matter of enormous public importance. In this respect, the three commissions examined in this dissertation show the analytical dividends that accrue from treating the national security state as a socio-technical system. To the extent that technology plays an increasing part in the exercise of state power, analytical methods developed within science and technology studies and organizational sociology should become a more central part of policy analysis, as they have been here.

Finally, the unique ability of commissions to examine complex systems suggests that their role as regulators of the exercise of power and authority in advanced democracies will continue and perhaps even expand in years to come. In this respect the continuing use of commissions to confront contemporary policy challenges represents the triumph of democratic ingenuity over the problems of the day. Crisis commissions are one of our age's most promising answers to the dilemma Madison spoke of in Federalist No. 51. "The great difficulty," he wrote in his celebrated passage on government as a reflection on human nature, "lies in this." "You must first enable the government to control the governed; and in the next place oblige it to control itself." Commissions are effective instruments that aid in this eternal struggle.

Methodological Appendix

“In its broadest sense,” the sociologist Darin Weinberg writes, “the study of research methods is simply the study of what we are really doing, or should be doing, when we discover.”⁵⁸² Writing against the notion of methodological archetypes that stand on their own, Weinberg sees social science methods as belonging to particular “dispute domains.” These domains, defined as the “socio-historical and social situational contingencies” that inquiry takes places within, frame the “distinctive logics”—what counts as theory, method, and facts—that a study is built from.⁵⁸³ Only by understanding the dispute domain in which one is intervening, Weinberg argues, can the strengths and weaknesses of a particular methodological approach be anticipated and addressed. In his view, building the legitimacy of knowledge is a process of discovering, anticipating, and responding to how it is constructed.

In this spirit, I endeavor in this appendix to layout the way in which I approached and wrote this dissertation. As described in the introduction, I set out to employ process tracing in a qualitative, small-n case study of disaster commissions. My reason for selecting this methodological approach was straightforward: the environment in which crisis commissions work and transmit their recommendations are filled with unobserved variables that shape thought and action. Building a thick description of a commission’s history would enable me to identify key events and dynamics and thereby hypothesize causal mechanisms that account for the case’s particular trajectory. Broader theorizations of the processes of social learning that occur in the wake of disasters and policy failures would emerge from within and between case analysis, highlighting social phenomena of interest to sociologists, political theorists, and scholars of science and technology studies.

In this appendix, I discuss how I used sources and methods to build and analyze the case studies largely in accordance with the approach I outlined at the outset. I also describe the unique collecting opportunities I make use of from two

⁵⁸² Darin Weinberg, ed., *Qualitative Research Methods* (London: Blackwell Publishers, 2001), 1.

⁵⁸³ Darin Weinberg, ed., *Qualitative Research Methods* (London: Blackwell Publishers, 2001), 2.

stints of government service that interrupted my graduate education. Opportunistic data collection from these experiences forms the evidentiary basis for a significant portion of both cases in this dissertation. In the following sections, I describe the circumstances in which that opportunistic collection took place and what further research I undertook to contextualize and develop the arguments that emerge.

Witness to Catastrophe and Commissions

My slumber in Kuala Lumpur came to an abrupt end on the morning of September 11, 2001, when my father's friend pounded on the door not long after dawn. It was by then early evening in New York. My first encounter with 9/11 was not an image of the twin towers collapsing, which played on TV soon enough, but rather the voice of David Halberstam commentating on the day's events. I will always remember Halberstam's profoundly hopeful observations on how societies rally after traumatic event as I absorbed what had transpired while I was asleep.

The beginnings of my own graduate study in social and political sciences three weeks later was marked by absorbing, on a personal and scholarly level, what it is like to experience, and live through, an epoch-making disaster. Much of my reading over the next several years was focused on trying to understand what it means for civilizations to clash, what constitutes the reactionary politics that play out in disaster's wake, and how the government failed to prevent the attacks.

9/11 was not, of course, the only large-scale government failure that marked my time in graduate school. The Bush administration soon seemed uniquely capable of producing catastrophes: first came the 9/11 Commission's revelations, then Iraq, then the hurricane Katrina disaster in New Orleans. In the middle of this, I had my own first hand encounter a disaster investigation. In 2003, I took leave from Cambridge University to serve on staff of the Columbia Accident Investigation Board. As editor of the Board's report, I was able to use my scholarly training in science and technology studies to help unravel a tragedy that riveted the nation.

The idea for this dissertation emerged as I watched NASA ready the shuttle for flight following the release of our investigation report. I watched with rapt fascination as the organizational and technical recommendations we had prescribed for the shuttle program met all kinds of resistance, and in part fell by the wayside. When the accident we labored to prevent nearly repeated itself on the first post-

accident launch, the question of what the investigation's intervention in NASA had achieved, and where it had failed, naturally arose. This dissertation is an attempt to answer that question, and to understand the more general role of commissions as diagnostic and therapeutic instruments that investigate dramatic disasters and policy failures.

Space Shuttle Columbia Investigation

Serving as one of two editors on the Space Shuttle Columbia investigation provided a privileged perch from which to watch the investigation unfold. I reported directly to the investigation's chairman, and was included, at his insistence, in all investigative meetings, internal deliberations, and Board travel. Watching the thirteen Board members grapple with the unfolding investigation for seven months allowed me to observe how the investigation organized itself, managed its relations with NASA, Congress, the White House, and other constituencies, and began assembling the facts and circumstances of the accident itself. It was, without question, a rare chance to "be in the room" during what became the largest accident investigation in history.

The ethnography that I was able to assemble allowed me to trace, among other phenomena, the social framing of the accident, the uptake of sociological theories among the Board's investigators, the production of the investigation report, and the institutionalization of the accident's explanation. Importantly for my account in Chapter 2 of how the investigation's focus evolved, I observed the debate between Board members over how to frame the accident's casual explanation. The observations I took away from this experience constitute rich material for exploring Goffman's frontstage/backstage distinction in the commission's construction of its public persona and projection of authority. The ethnography also constitutes remarkable material for studying the micropolitics of persuasive and coercive power, as exercised in many varieties and ways: administrative, political, technical, even cultural.

Chapter 2 of this dissertation, then, is a scholarly recapitulation of my observations as a staff member on the shuttle investigation, further developed into arguments about social processes and made with extensive reference to the historical, sociological, and science and technology studies literature. In constructing this

account I relied not only on memory, but also on a vast repository of documentary material that accrued from my staff role. This included a set of contemporaneous personal notes I took almost daily to chronicle the investigation, investigation emails, news articles from our clipping service, and several boxes of investigation materials I was permitted to retain after the National Archives electronically harvested most of our files.

This crucial documentary archive, which I reference throughout the *Columbia* case study, includes everything from draft report chapters and successive report outlines that illustrate the evolution of Board thinking to notes and meeting minutes from Board discussions and site visits. One of the most unique artifacts I make use of is an oral history Dwayne Day and I took to explore the investigation's early history with Admiral Gehman and four of the Board's first staff members. We did this for the benefit of future historians as well as to provide an evidentiary basis for report Appendix A, which documents the Board's initial mobilization.

To ensure that my ethnography of the investigation is fully corroborated by the range of available evidence, and that the theories I generate from it are rooted in more than my personal observations, I augmented my personal papers and notes with a variety of primary and secondary sources and materials from interviews with key participants. Foremost among these sources was the Board's report itself. The accident report and its extensive appendices contain much of the raw evidence the investigation used, as well as the complete set of transcripts from all public Board hearings. Wherever I can, I situate observations made by the Board in the words of its own members, rather than my recollections.

Scholarly commentary and journalistic coverage of the investigation is also abundant. I gathered, sorted, and referenced a great deal of it in my research, mostly through targeted electronic searches of scholarly databases and online archives of several newspapers and the aviation press. Because of my inside knowledge of the investigation, I primarily use journalistic coverage to mark important investigative developments, trace the reaction to the Board's actions, or illustrate the environment in which Board members worked. Of available news accounts, I concentrate on those from the *New York Times*, whose correspondents, in my experience, provided the most accurate and comprehensive coverage of the unfolding investigation. Accounts from Florida and Texas newspaper reporters who regularly cover the Kennedy and Johnson Space Centers were also helpful corroborating sources.

I also draw commentary from the specialty space press, including *Aviation Weekly*, *Space News*, *The Space Review*, and, to a lesser extent, the blog NASAWATCH. The only book length account of the investigation yet written, Michael Cabbage and William Harwood's *Comm Check: The Final Flight of the Shuttle Columbia*, was generally informative as a narrative of the investigation, but broke little new ground. With the exception of the work of sociologist Diane Vaughan, articles published in several academic journals, as well as one edited volume, mostly concern the investigation's approach to risk management, and therefore proved only marginally useful to theorizing the investigative processes explored in this dissertation.

As I developed the case study in 2005 and 2006, and began to write my initial drafts of chapter 2, I spoke regularly to several investigation colleagues, including Lester Reingold, Ari Simon, Laura Brown, Diane Vaughan, and the noted space historian Dwayne Day. My interaction Dwayne Day and Diane Vaughan merit special mention. Dwayne was able to consult his meticulous investigation journal to clarify the general accuracy of my own recollections. I am grateful for his patient work to help construct and verify the account I offer of several important Board decisions.

A series of informal dinners with Diane Vaughan in Boston as she wrote her own account of involvement in the investigation were particularly helpful in establishing the sociological motives and principles at stake in the Board's adoption of social cause. Early drafts of her autobiographical accounts, which I commented upon, as well as the final versions published in anthropology and sociology journals, were among the most important intellectual seeds for my own theorization of what occurred. The similarity of our perspectives on the investigation's eventual embrace of social cause thus stems from more than shared experience on the investigation itself. By combining insights from our different vantage points on the investigation, we also, to a certain extent, jointly theorized how social cause rose to the prominence it did. I was always the junior academic partner in these endeavors, but had the advantage of having been present for the investigation's duration and been more centrally positioned in its staff hierarchy.

The arguments I develop in Chapter 2 about the adoption of social cause and the investigation's own agency thus emerged primarily from my ethnography of the Board, but were refined with the help of colleagues, and expanded by a variety of

documentary evidence, academic literature, interviews, and informal consultations. Drawing on these materials to trace the evolution of the investigation enabled me to identify key moments and dynamics, develop hypothesis about the causal mechanism driving events, and then to test these hypothesis against the body of data I gathered. As an additional measure of validation, I asked my investigation colleague Dwayne Day, a noted space historian, to review and comment upon a rough draft of the case study.

The Return to Flight Task Group

My chronicle of the Return to Flight Task Group in chapter 3 returns me to the role of outside observer undertaking traditional documentary and interview research. I conducted no ethnographic observation of the Task Group and had no formal association with it. I was nevertheless greatly aided in my research by two colleagues from the Columbia Board who went on to serve on the Task Group's staff. My status as a former member of the Columbia Board staff also helped open doors among those I interviewed. To a certain extent, then, my gathering of data to evaluate the impact of the Columbia investigation's recommendations was opportunistic.

I began my research into the Return to Flight Task Group in the summer of 2005, as NASA was readying the shuttle for its first post-accident launch. The near-catastrophic foam shedding incident on *Discovery*'s launch, which I witnessed from NASA's Banana Creek viewing site, piqued my interest in developing the case and also spurred initial hypothesis on what may have happened. My investigation colleague Dwayne Day and I published our thinking at the time in a *Space Review* article titled "Foam and the Limits of Foresight."⁵⁸⁴ I also co-authored an op-ed in the *Washington Times* that previewed more general arguments about the politics of disaster and reform that I revised and expanded in the dissertation.⁵⁸⁵

To develop these initial insights, I began an organized program of documentary and interview research. The Task Group's interim reports, NASA's Return to Flight Implementation Plan, and a growing repository of journalistic articles harvested through electronic searches formed my initial basis of knowledge about the

⁵⁸⁴ Dwayne Day and Christopher Kirchhoff, "Foam and the Limits of Foresight," *The Space Review*, August 1, 2005.

⁵⁸⁵ Christopher Kirchhoff and Daniel Prieto, "Fits and Starts," op-ed, *The Washington Times*, August 25, 2005.

shuttle program's attempt to implement investigation recommendations. While building this repository I concentrated especially on tracing the political, policy, and organizational environment program engineers worked within during the return to flight process. An unpublished manuscript commissioned by the NASA History Office provided some useful background on NASA's internal response to the investigation, and on the origins of the Return to Flight Task Group. The manuscript, by the space historian Andrew Butrica, entered the NASA History Office review process but was never published.⁵⁸⁶

The Return to Flight Task Group's interim and final reports, as well as the dissent written by six of its members, highlighted specific matters to further examine. It became clear after digesting these materials that I should look closely at NASA's decisions about implementing modifications to the external tank and at the combative interactions between Task Group members and NASA officials on whether the modifications NASA ultimately made fulfilled the Columbia Board recommendations.

As I developed initial lines of argument on the basis of these materials, I began exploring the nature of the Task Group with Lester Reingold and Dennis Jenkins, my investigation colleagues who went on to work on its staff. Les served as editor of the Task Group report; Dennis as one of its lead technical advisors. Through informal conversations in person and over the phone, insights from Dennis and Les were invaluable to helping me differentiate the Task Group's organization, resources, culture, and decision-making style from that of the Columbia Board. Dennis went further and recommended which members of the Task Group I might have the best luck approaching, and who in NASA's technical ranks was involved in making the engineering decisions on the external tank I was by now interested in. It was through his help that I initiated a series of interviews that established key lines of evidence.

Using contacts provided by Dennis as well as other officials I had met during the investigation, I sought to conduct interviews with members from three groups: engineers from the external tank project; Task Group members that oversaw the implementation of the Columbia Board's external tank recommendations; and Task Group members who signed the dissent included in the final report. My goal was to examine how managers in the external tank project made engineering judgments, how

⁵⁸⁶ Andrew J. Butrica, "Recovering from Columbia: Learning from NASA's Return to Flight," draft manuscript, 2007.

the Task Group evaluated these decisions, and how organizational and cultural dynamics at play in the shuttle program influenced events. By tracing NASA's attempt to meet the Columbia Board's recommendations on external tank debris, I would be able to explore my initial hypothesis that schedule pressure, generated by NASA's internal conception of mission and by policy decisions from above, was a persuasive factor shaping the course of technical modifications undertaken by engineers.

All told, I made about two-dozen inquiries, just over half of which yielded interviews. Several of these interviewees led me to other individuals, in the classic snowball method that I proposed employing from the outset. I conducted all interviews by phone in March and April of 2006, with email correspondence as a frequent follow-up. The interviews lasted anywhere from twenty minutes to over an hour and a half. I prepared for each by writing a list of questions and reviewing relevant documents and sections of Task Group reports. For several of my conversations with NASA engineers, Dennis Jenkins and Dwayne Day kindly talked me through some of the more complex engineering issues beforehand. Of the interviews I conducted, those with Charles Daniel, Amy Donahue, and Neil Otte were most helpful to fleshing out my arguments. These three individuals became something of my main informants. I spoke and corresponded with all three multiple times.

Dr. Daniel served on the Task Group's technical panel, which was responsible for evaluating NASA's implementation of Columbia Board recommendations involving flight hardware. Neil Otte was a manager in the external Tank project who interfaced directly with the Task Group and himself oversaw key engineering decisions. With Daniel and Otte, I explored the sequence of external tank project engineering decisions as well as their perception of the program and schedule pressures acting at different times during the return to flight process. These interviews enabled me to confirm the existence of technical courses of action that would have likely further reduced foam shedding but whose implementation was ruled out by shuttle management, who made a corporate decision to set a launch date without first conducting an analysis of how long it would take to implement the Columbia recommendations.

My interviews with Amy Donahue concerned her role in Task Group's operational sub-panel, her feelings as a NASA outsider and social scientist joining the

astronaut-heavy Task Group, and her reasons for joining the dissenters to the Task Group's final report. Amy's own scholarship on disaster management makes her an acute observer of organizational dynamics. Her comments in this regard were helpful in bolstering my own exploration of the connection between NASA's political environment during the Return to Flight process and the decision-making of shuttle managers and line engineers.⁵⁸⁷ Although I did not interview Task Group member Rosmary O'Leary, her published account of writing the dissent corroborated of what other Task Group members recounted orally.⁵⁸⁸

The reconstruction of events drawn from these interviews and from the documentary evidence I gathered confirmed my initial hypothesis about how political and organizational forces influenced the adjudication of technical decisions in the external tank project. The interviews also unearthed information about the constraints the Task Group worked under and how the group's limited access to investigative resources made it more difficult for its members to confront the shuttle program. It was my exploration of this issue that inspired my arguments about the importance of robust investigative staffs.

The case thus traces the cascading effects of the shuttle program's decision to set a launch date before having a firm sense for how long engineering modifications might take, and how the small trade space engineers had to work within was further compressed by later organizational and political developments in the shuttle program and U.S. space policy. In this way my analysis linked observations made by Task Group members and tank project engineers to larger structural forces whose presence I established through tracing policy decisions made by the President and high-ranking NASA officials. In so doing, I developed the theory of failure showcased in the chapter.

The Iraq Study Group and its Aftermath

My research of the dissertation's second case on the Iraq Study Group was also facilitated by opportunistic collection. In an illustration of the path dependency

⁵⁸⁷ See, for instance, Donahue, Amy K. and Robert V. Tuohy. "Lessons We Don't Learn: A Study of the Lessons of Disasters, Why We Repeat Them, and How We Can Learn Them." *Homeland Security Affairs* II, no. 2 (July 2006)

⁵⁸⁸ O'Leary, Rosemary, *The Ethics of Dissent: Managing Guerrilla Government* (Washington: CQ Press, 2006).

frequently at work in policy careers, I was asked, on the basis of having served as editor of the Space Shuttle Columbia investigation, to help write the U.S. government's official history of Iraq reconstruction. So began my second leave from Cambridge University in spring 2006. The Special Inspector General for Iraq Reconstruction, a joint office of the U.S. Departments of State and Defense, published *Hard Lessons: The Iraq Reconstruction Experience*, in February 2009.

My interest in the Iraq Study Group arose as I observed its institutional life, and the propagation of its recommendations, from my perch inside government. Once again, I found myself poised to collect data opportunistically. Having access to the message traffic and officials of government agencies running the war effort, and having the chance to interview many of the experts the study group had consulted, I was perfectly placed to assemble a second case study of a crisis commission as it unfolded.

In the summer and fall of 2006 I even had some first hand interaction with the study group itself. On the basis of my own experience conducting field research in Iraq, I was asked to recommend how its members might maximize their upcoming site visit to Baghdad. Later, at the request of my boss, the Special Inspector General for Iraq Reconstruction, I participated in a consultation with study group staff and authored memos under his name for the consideration of co-chairs James Baker and Lee Hamilton.

These interactions, however, were narrowly focused on policy guidance for reconstruction strategy, which constituted only a small portion of the study group's purview. In addition, there were practical as well as legal limits to my ability to collect material for my own private purposes while in the government's employ. Although I did make note of obvious linkages I ran across in my daily interactions with officials and in my research for the official history, I gathered most of the materials used to write the case study from documentary and interview research after leaving government service. I nevertheless benefited tremendously from the working knowledge of Iraq policy I gained on the job and from the access I had to officials I sought to interview after returning to Cambridge. Much of the case's framing and arguments emerge from this insider access.

A word here is needed on the consequences of this insider status on methodological conventions. A careful reader of the Iraq Study Group case study will notice that my analysis is informed by insights and observations that are not fully

sourced in the text. This is the inevitable by-product of applying a scholarly gaze to events one participated in as an actor rather than a researcher. Indeed, for over three years I lived and breathed Iraq policy daily, in Washington and in theater as I traveled across Iraq in the summer of 2006 and summer and fall of 2007. My role as an official historian analyzing the reconstruction granted me de facto participant-observer status to the unfolding occupation and the policy apparatus that steered it. However, I only embraced this de facto status after the fact, once I decided out of government service to add the Iraq case study to this dissertation. Where possible, I have added into the case study references for conversations, email exchanges, and personal observations drawn from my first-hand interaction with the reconstruction. But because many of those I spoke with in the context of my official position would not have agreed to speak on the record for an academic project, it is not possible to specifically source their insights here. A more comprehensive record of the sources I had access to during this period is contained in the footnotes and methodological appendix for *Hard Lessons*.

To gather an independent empirical foundation with which to trace the study group's institutional life, I conducted a series of keyword searches of major newspapers, political magazines, and several blogs, concentrating mainly on the *New York Times* and *Washington Post*, as well as several investigative journalists who covered Iraq policy for the intellectual press. My decision to focus first on these sources derives from my impression of their general accuracy reporting on national security affairs, gained from cross referencing what I read in the press with what I knew from governmental sources. This group of journalists also proved more attentive than the rest of the media in their reporting of micro-details of process and prerogative that matter in the building of an account of how commissions as political institutions compete for power and influence over agencies of the executive branch. I cite stories on CNN primarily to mark junctures at which the study group entered the national consciousness.

The body of evidence I accumulated through media searches was problematic. Journalistic coverage and opinion pieces come with known methodological limitations, and this time, unlike during my service on the Columbia investigation, I was not positioned to sort informed reporting from speculation. To ensure that my portrayal of the study group does not relay too heavily on journalistic and quasi-journalistic sources, I cross checked them with information from official accounts and

interviews where possible. A number of official sources aided this effort. The study group's official website, which includes a number of press releases, transcripts, and other written information about study group processes, usefully provided a documentary record of its activities, as did the study group report itself. Congressional committees and offices of individual senators and representatives also released correspondence related to study group business, as did think tanks and research institutions, such as Brookings and the Council on Foreign Relations. Somewhat surprisingly, I found little further insight from academic publications. A search of several academic databases performed in the late spring of 2009 yielded no significant academic articles or books on the study group. A short section in Jordan Tama's Ph.D. dissertation is the only substantive academic analysis of the study group I managed to locate.

These sources helped me assemble a detailed timeline of the study group's activities and the fate of many of its recommendations. They also helped me develop lines of questioning that I then used to generate an interview plan. I was most interested in understanding how the study group's primary recommendations were so quickly overturned by President Bush, what happened to the rest of the recommendations, and whether beginning life as an earmark rather than an official commission constrained its investigation.

To understand how the study group organized itself and conducted its business, I spoke with Paul Hughes, who served as an executive secretariat to one of its four expert advisory panels, and Rick Barton, who served on its panel of reconstruction experts. Both helped me understand the system of volunteer advisors put in place by Baker and Hamilton and the dynamics that existed between these expert groups and the study group itself. Study group staff member Ben Rhodes, who was an executive assistant to co-chair Lee Hamilton, shared with me select impressions of how the study group conducted its affairs during the eight months it met. In several conversations held long after the study group disbanded, Ben also shared how study group members and staffers viewed their ultimate effect on the policy making process. My conversations with him informed my arguments about the nature of the access the study group enjoyed.

Princeton doctoral candidate Jordan Tama was also a source. He and I had several long conversations and traded emails in an effort to help each other grapple with our common dissertation topics of national security commissions. Since Jordan

had mostly completed his research on the study group before I began the advanced stages of my own, his insights—especially about the study group’s impact on congressional debates—helped me more accurately process trace study group recommendations.

To understand the administration’s reaction to the study group and the political ramifications of its report, I drew upon conversations with Philip Zelikow. During the study group’s tenure, Zelikow served as Counselor to the Secretary of State and was a member of the White House review team that eventually recommended the President overrule the study group’s primary recommendation. He had already given extensive interviews of his views about the study group to the PBS program *Frontline* and to several journalists. I am thankful for the opportunity to ask him additional questions. His views solidified my understanding of what influenced the study group’s military recommendations and why they were rejected by the administration.

I conducted several final interviews to trace the impact of several of the study group’s lesser recommendations. Ambassador Tim Carney spoke with me about his own role in carrying out the study group recommendation for greater coordination in economic policymaking. I similarly interviewed Admiral William Fallon shortly after his resignation as CENTCOM commander to understand the resistance he faced in encouraging the administration to act on the study group’s recommendation to name a reconstruction czar.

My most difficult task was assembling an account of the study group’s deliberations. Although I was not able to interview a member of the study group itself, I did speak on an anonymous basis with two of its staff members who were present in the room for most of its final deliberations. The argument I developed about the study group’s limited analytic reach stems from these discussions and my own sense, from conducting field research in Iraq, of the added value of the in-country travel that the study group was unable to undertake.

Bob Woodward’s account of the study group in *The War Within: A Secret White House History* (2006–2008) was perhaps the most problematic source I encountered in my attempt to understand the study group’s deliberations. The work of Washington’s best known investigative reporter relies so heavily on the cooperation of a small number of anonymous sources that it is often likened to a flashlight shining into a dark room: one must be careful to remember that what lies in

darkness is much larger than that which is illuminated. Nevertheless, several members of the study group granted Woodward wide-ranging interviews in which they discuss aspects of the study group covered by no other sources, including how it reached the conclusions showcased in its report. So that I would not uncritically draw on Woodward's sweeping analysis, I employ his account primarily to reference characterizations of study group dynamics made by its members who were quoted by name.

My observations of the similarities and differences between the Iraq Study Group and 9/11 Commission emerged largely from informal discussions with Stephanie Kaplan, a close observer of the study group who served as the 9/11 Commission's managing editor.

The research for the Iraq Study Group case laid out in chapter 4 and 5 was methodologically similar to my work on the Return to Flight Task Group in chapter 3. Although I was not positioned as an insider able to offer a full ethnographic account, as I was in the Columbia case, I did have a number of evidentiary advantages that accrued from my position as a government official. These advantages gave me a distinct sense for the political environment in which the study group operated and propagated its recommendations. By combining my own sensibilities from my experience working Iraq policy with the documentary and interview research I undertook after leaving government, I was able to devise the arguments I ultimately make in chapter 4 and 5. Theory generation occurred more productively in this case, perhaps because I was able to test and build upon preliminary hypotheses about commissions from the already-completed Columbia case. To validate my conclusions, Jordan Tama read and commented upon a rough draft.

Overall Theorizing

I arrived at a rough draft of both cases in the spring of 2009. Although the broad outlines of my argument about commissions as unique instruments of democratic governance was beginning to emerge, the two cases as initially drafted allowed room for further and more detailed comparisons of specific phenomena, including the importance of investigative staff, the way in which credibility is constructed *in situ*, and how commissions approach the question of exerting influence after their disbandment. I proceeded to spend the late spring and summer aligning the

cases so as to draw more structured comparisons about these issues, to cut extraneous material, and to draft a conclusion chapter that would illustrate my overall arguments.

This process of within and between case analysis yielded further insights into the dynamics that influence commissions and their role in the political process. It was during this iterative phase of maturing my thinking and writing that I reintroduced the 9/11 Commission as a basis for further comparative theorizing. I was pleased to see continuities between the conclusions of my own research in the two cases and the existing literature on the 9/11 Commission. Specifically, the comparison brought out structural similarities, highlighted in the conclusion, between the Iraq Study Group and Return to Flight Task Group, and between the Columbia investigation and the 9/11 Commission.

In late summer 2009 I wrote this methodological appendix and edited the dissertation to ensure that the general argument was sufficiently carried through the text. Initial drafts suffered from a “trees obscuring the forest” effect in which evidentiary detail at times overwhelmed the overall argument. Final adjustments were made in late September and early October 2009. The dissertation was formally submitted in October 2009 and defended in June 2010 before Prof. Sheila Jasanoff (Harvard Kennedy School) and Dr. Glen Rangwala (Cambridge), who accepted it without substantial revision. A bound copy for library deposit, with limited corrections, was submitted in September 2010.

Acknowledgements

Completing this Ph.D. proved an odyssey. From matriculation to graduation I found myself working twice on the campaign trail, investigating a space shuttle disaster, and authoring the U.S. official history of Iraq reconstruction. That I managed after eight years to complete the degree approaches the miraculous.

A small circle of essential supporters conspired to make it happen. My supervisor Darin Weinberg graciously tolerated my repeated disengagements. Sidney Sussex College left me a pigeon hole all the while. And Gordon Johnson, Provost of the Gates Cambridge Trust, kept signing my scholarship checks, which flow ultimately from the beneficence of Bill & Melinda Gates.

Many others provided physical and intellectual refuge along the way. I will always remember writing in Stephanie Kaplan's arm chair, at Ann Gronstal's kitchen table, and in the back study of 41 Kirkland St. Credit is also due to Jordan Tama and Dwayne Day, to Jo Guldi and Hunter Keith, and to Glen Rangwala, who read this dissertation as closely as he read Tony Blair's dodgy dossier.

What I wrote in the acknowledgements to my senior thesis a decade ago holds true today: Sheila Jasanoff not only gave form to this project, but as professor, mentor, scholar, and human being, to my life as well. At a time of great crossroads in my professional life she took me into her STS fellows program and later ensured I bought this project to successful conclusion. I will always be her student, and stand in her debt.

Lastly, credit goes to my partner Karthik, who goaded me into better health after my return from Iraq and prodded me to get to work, no excuses.

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